



September 29, 2021 Council Agenda

5628

Please note, City Hall is closed to the public due to the COVID-19 Pandemic.

Under Portland City Code and state law, the City Council is holding this meeting electronically. All members of council are attending remotely by video and teleconference, and the City has made several avenues available for the public to listen to the audio broadcast of this meeting. The meeting is available to the public on the City's YouTube Channel, eGov PDX, www.portlandoregon.gov/video and Channel 30. The public can also provide written testimony to Council by emailing the Council Clerk at cctestimony@portlandoregon.gov.

The Council is taking these steps as a result of the COVID-19 pandemic and the need to limit in-person contact and promote social distancing. The pandemic is an emergency that threatens the public health, safety and welfare which requires us to meet remotely by electronic communications. Thank you all for your patience, flexibility and understanding as we manage through this difficult situation to do the City's business.

Email the Council Clerk at councilclerk@portlandoregon.gov with any questions.

Meeting Records

Disposition Agenda

Audio Recordings

Wednesday, September 29, 2021 9:30 am

Session Status: Recessed

Council in Attendance: Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Commissioner Dan Ryan

Mayor Wheeler presided.

Officers in attendance: Naomi Sheffield, Deputy City Attorney; Keelan McClymont, Council Clerk

Item 712 was pulled from the Consent Agenda and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

Council recessed at 11:37 a.m.

Communications

707

[Request of Kelly Peterson to address Council regarding protection of Portland's mother trees](#) (Communication)

Document number: 707-2021

Disposition: Placed on File

708

[Request of Angie Tanyi to address Council regarding City Tree Code](#) (Communication)

Document number: 708-2021

Disposition: Placed on File

Karen Jackson presented to Council for item 708.

709

[Request of Dennis Harper to address Council regarding use of Central Post Office as temporary homeless shelter](#) (Communication)

Document number: 709-2021

Disposition: Placed on File

710

[Request of Aubrey Russell to address Council regarding Regional Arts and Culture Council Process for considering the removal of public art, monuments, and statues](#) (Communication)

Document number: 710-2021

Disposition: Placed on File

711

[Request of Erica West to address Council regarding gun violence](#) (Communication)

Document number: 711-2021

Disposition: Placed on File

Consent Agenda

712

[*Authorize application to Department of Homeland Security Federal Emergency Management Agency Hazard Mitigation grant program up to \\$352,230 to increase City resilience with a comprehensive City Building Damage Assessment Plan](#) (Emergency Ordinance)

Document number: 190571

Introduced by: Mayor Ted Wheeler; Commissioner Dan Ryan

Bureau: Development Services (BDS)

Item 712 was pulled from the Consent Agenda.

Disposition: Passed As Amended

Motion to accept amended ordinance and substitute Exhibit A: moved by Hardesty and seconded by Ryan. (Y-5)

Votes: Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

713

[*Create a new non-represented classification of Crisis Medic and establish a compensation range for this classification](#) (Emergency Ordinance)

Document number: 190563

Introduced by: Mayor Ted Wheeler

Bureau: Human Resources; Management and Finance

Disposition: Passed

Votes: Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

714

[Amend fee schedule associated with Fire regulations \(Amend Portland Policy Document FIR-12.01\)](#) (Ordinance)

Document number: 190564

Introduced by: Commissioner Jo Ann Hardesty

Bureau: Portland Fire & Rescue

Second reading agenda item 693.

Disposition: Passed

Votes: Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

715

[*Accept and appropriate a grant in the amount of \\$55,000 from State of Oregon Department of Land Conservation and Development for the Residential Infill Project](#) (Emergency Ordinance)

Document number: 190565

Introduced by: Commissioner Carmen Rubio

Bureau: Planning and Sustainability

Disposition: Passed

Votes: Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

716

[Approve and terminate limited tax exemptions for properties under the Homebuyer Opportunity Limited Tax Exemption Program](#) (Resolution)

Document number: 37553

Introduced by: Commissioner Dan Ryan

Bureau: Housing Bureau

Disposition: Adopted

Votes: Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

Regular Agenda

717

[Continue Downtown Business District Property Management License Fee for additional ten years and direct Office of Management and Finance to review effectiveness of Enhanced Service Districts](#) (Resolution)

Document number: 37554

Introduced by: Mayor Ted Wheeler; Commissioner Mingus Mapps

Bureau: Chief Administrative Officer; Management and Finance; Revenue and Financial Services

Time requested: 30 minutes (1 of 2)

Continued agenda item 705.

Disposition: Adopted As Amended

Motion to add language following Paragraph 21: BE IT FUTHER RESOLVED that the Office of Management and Finance, as part of its review, will specifically examine issues related to the governance of enhanced service districts, the use of private security to patrol public areas, guidelines for establishing new enhanced service districts, and the inclusion of condominiums and other residential properties as property management fee payers; and. Moved by Ryan and seconded by Rubio. (Y-4 Mapps, Rubio, Ryan, Wheeler; N-1 Hardesty)

Motion to extend the contract by 1 year: Moved by Hardesty and seconded by Rubio. (Y-1 Hardesty; N-4 Mapps, Rubio, Ryan, Wheeler). Motion failed.

Votes: Commissioner Jo Ann Hardesty Nay

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

718

[Authorize agreement for Downtown Business District Management District Services with Clean and Safe, Inc. for estimated amount of \\$25 million over five years](#) (Ordinance)

Document number: 190566

Introduced by: Mayor Ted Wheeler; Commissioner Mingus Mapps

Bureau: Chief Administrative Officer; Management and Finance; Revenue and Financial Services

Time requested: 30 minutes (2 of 2)

Seconding reading agenda item 706.

Disposition: Passed

Motion to extend the contract by 1 year: Moved by Hardesty and seconded by Rubio. (Y-1 Hardesty; N-4 Mapps, Rubio, Ryan, Wheeler). Motion failed.

Votes: Commissioner Jo Ann Hardesty Nay

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

719

[Authorize \\$15 million of long-term bonds for local improvement and sidewalk repair projects and financing of system development charges plus additional amounts for issue costs](#) (Ordinance)

Document number: 190567

Introduced by: Mayor Ted Wheeler

Bureau: Debt Management; Management and Finance

Second reading agenda item 698.

Disposition: Passed

Votes: Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

720

[Authorize application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for a grant in the amount of \\$480,737 for the Edward Byrne Memorial Justice Assistance Grant Program FY 2021 Local Solicitation to assist the Portland-Metropolitan area law enforcement and criminal justice community to prevent and reduce crime and violence](#) (Ordinance)

Document number: 190568

Introduced by: Mayor Ted Wheeler

Bureau: Police

Second reading agenda item 699.

Disposition: Passed

Votes: Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

721

[Authorize Intergovernmental Agreement with Oregon Department of Transportation for reimbursement for Work Zone projects traffic enforcement](#) (Ordinance)

Document number: 190569

Introduced by: Mayor Ted Wheeler

Bureau: Police

Second reading agenda item 700.

Disposition: Passed As Amended

Votes: Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

722

[Accept the Net Meter Revenue Policy Review report and amend Parking Meter Revenue Allocation Policy.\(Amend Ordinance No. 189092 and TRN 3.112\)](#) (Ordinance)

Document number: 190570

Introduced by: Commissioner Jo Ann Hardesty

Bureau: Transportation

Time requested: 30 minutes

Second reading agenda item 704.

Disposition: Passed As Amended

Motion to amend Exhibit B and ordinance to do a revenue share for parking meter funds: Moved by Wheeler and seconded by Mapps. Motion withdrawn.

Votes: Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

723

[*Add Accessibility of Candidate Debates and Forums Code and amend Open and Accountable Elections Program Code to make the program fairer, simpler, easier to navigate, and better optimized to achieve program goals \(add Code Chapter 2.09 and amend Chapter 2.16\)](#) (Emergency Ordinance)

Introduced by: Commissioner Carmen Rubio

Bureau: Small Donor Elections

Time requested: 30 minutes

Disposition: Referred to Commissioner of Public Utilities

724

[Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for East Burnside Apartments located at 2202 E Burnside St](#) (Ordinance)

Document number: 190574

Introduced by: Commissioner Dan Ryan

Bureau: Housing Bureau

Time requested: 10 minutes

Disposition: Passed to second reading

Passed to second reading October 6, 2021 at 9:30 a.m.

Wednesday, September 29, 2021 2:00 pm

Session Status: Adjourned

Council in Attendance: Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Commissioner Dan Ryan

Mayor Wheeler presided. Commissioner Ryan presided at 2:30 p.m.

Officers in attendance: Ken McGair, Deputy City Attorney; Keelan McClymont, Council Clerk

Council adjourned at 2:46 p.m.

Time Certain

725

[Amend Solid Waste and Recycling Collection Code to update definitions and add exceptions to the residential franchise to allow special items collection, bottle bill container collection and junk removal services \(amend Code Sections 17.102.020 and 17.102.150\)](#) (Ordinance)

Document number: 190573

Introduced by: Commissioner Carmen Rubio

Bureau: Planning and Sustainability

Time certain: 2:00 pm

Time requested: 2 hours

Disposition: Passed to second reading

Passed to second reading October 6, 2021 at 9:30 a.m.

Thursday, September 30, 2021 2:00 pm

Session Status: No session scheduled

Closed caption file of Portland City Council meeting

This file was produced through the closed captioning process for the televised city council broadcast and should not be considered a verbatim transcript. The official vote counts for council action are provided in the official minutes.

September 29, 2021 9:30 a.m.

Wheeler: It's good to see you, Commissioner Fritz. Welcome to Portland City Council. With that Commissioner Rubio.

Rubio: Welcome Commissioner Fritz, it's great to see you here. Today we have the honor of recognizing a wonderful public servant in Cynthia Castro, my office is only one of her impressive stops in Portland. Over the years Cynthia demonstrated time and again advancing equity across our city. She won the wonder woman award last year, one nominee said Cynthia gave me hope for an inclusive workplace and made me feel truly seen. She wore many hats. She was center director for Charles Jordan. And here at city hall working for Commissioner Fritz and also on my team she has continued to be active on numerous initiatives and city employee infinity groups where she has worked hard to move the city of Portland to a more inclusive and equitable workplace. As I got to know her, I grew to respect her values and her deep love for her city. I was so honored she agreed to stay on and join my team in her first year here. She was essential hitting the ground running at city hall. Because of the trust that people have for her. That's how Cynthia is. She is one of the most genuine, humble and capable leaders i've met. I'm so sad our city is losing her but she won't be far and the county is absolutely lucky to gain this exceptional public servant and leader. Cynthia, we love you and wish you the very best on your journey and thank you for your excellent service and contributions. Our city is truly better for it. Last but not least, I want to give a huge appreciation to several people who love and appreciate cynthia as much as we do and helped with the special acknowledgment today. Michelle rodriguez, laura john, miguel, megan dirks, clayton, thank you all for your help in developing parts of this acknowledgment. I will turn it back to you, mayor.

Wheeler: Thank you very much, Commissioner. Cynthia, on behalf of the Portland City Council, really all of us at Portland city hall, I have the distinct pleasure and honor of reading proclamation in your honor. [reading proclamation] Cynthia played a critical role in leadership program in 2016. This leadership and mentorship program helped advance future leaders of the city african american network, latinxs pdx and women's empowerment infinity groups. Whereas Cynthia helped coordinate the parks bureaus, 2 million community center team program building partnerships with community-based organizations to support free access to teen programs and services. And whereas Cynthia helped coordinate the parks bureau, smoke and tobacco free parks policy, making parks safer and healthier. Whereas Cynthia served as the director of the Charles Jordan community center from 2016-2018 during which time she created partnerships that served the north Portland community, including with urban gleaners to open a food pantry for critical support for food insecure families. And whereas Cynthia's experience with multilingual community members compelled her to advocate for a robust language access plan in the parks bureau. And whereas, in the language co-pay process, Cynthia advocated within two council offices for both staff and community. Securing compensation for employees who use their multilingual skills for work. And whereas Cynthia's commitment to the tribal relations work has been instrumental to changes such as the land acknowledgment resolution which will include the vision and inclusion of native people for years to come. Her love of parks and community. And drive for equitable public service. Cynthia has made our city better for it's people and her impact will be felt for generations. And whereas Cynthia is a respected and trusted leader, colleague, advisor, collaborator, mentor, advocate, community member and friend to so many people in our city, and in our diverse communities, and we have been so fortunate to know her and to work with her. And now therefore, I ted Wheeler, mayor of the city of Portland Oregon, the city of roses, do here hereby proclaim, Cynthia, we wish her best in Multnomah county where she will continue to make tremendous impacts. Congratulations on behalf of all of us, I don't want to put you on the spot, but if you wanted to say a few words, we would certainly welcome it.

Cynthia Castro: Well, this is -- [choked up] it's a surprise. I didn't even know what was going on. I just want to say thank you so much. And it's so awesome that my family is here to meet my City of Portland family. Eight years has gone by so fast. I guess time flies when you're

having fun. I want to say thanks so much to parks who brought me into the city. As well as Director Sommer with water bureau, I had a great opportunity working with them. Of course Commissioner Fritz who has been a mentor to me. And of course Commissioner Rubio, I'm so proud to have been here in your first nine months. I know there's a lot of great things to come for you, and the team, we will definitely stay in touch. I hope my move to the county we will continue to partner. And of course my family. Thank you to Carolyn Lee who introduced me to DEEP when I first started. I had no idea what was in store after that. Latinxs PDX. Just so much love to you all. It was, again an honor for me to help start the infinity group again. It's been really rewarding to see it grow up to 12 members, 120 members. I know there's great things to come again. To the Commissioners and the mayor, it's been an honor to serve. You don't have easy jobs, that's for sure. Last week when we had the Latinxs heritage month proclamation, it was really great to see you all smiling. I know our jobs are very intense and can be very stressful. It's great to have moments like that. Again, when I moved to the county, I just really look forward to continue to stay in touch and partner together. So thank you.

Wheeler: Thank you, Cynthia, we appreciate it. All of us do. And we're glad that the surprise actually got kept, that's impressive. Good work city team. That's actually remarkable. Thank you, and Cynthia please read the comments in the chat. There's a lot of well wishes for you. Colleagues this is the September 29 morning session of the Portland city council. Keelan, good morning, please call the roll.

Clerk: Thank you, mayor, and Commissioners. Hardesty?

Hardesty: Here.

Clerk: Mapps.

Mapps: Here.

Clerk: Rubio?

Rubio: Here.

Clerk: Ryan?

Ryan: Here.

Clerk: Wheeler.

Wheeler: Here, the city is holding this meeting electronically all members are attending remotely by teleconference. The meeting is available to the public on the city's you youtube

channel. The public can also provide written testimony to council by emailing the council clerk, cctestimony@Portlandoregon.gov. The city is taking these steps due to the covid-19 pandemic. The pandemic is an emergency that threatens the public health, safety and welfare which requires us to meet remotely via electronic communications. As always, thank you for your patience, your flexibility, your understanding and all those other things we need as we manage through this very challenging situation to conduct the city's business. With that we will hear from legal counsel on the rules of order and decorum.

Naomi Sheffield: Good morning. You may sign up in advance for communications to briefly speak about any subject. You may also sign up for public resolutions for first reading of ordinances, the published council agenda contains information about how and when you may sign up for testimony where the city council is holding electronic meetings. Your testimony should address the matter being considered at the time. When testifying please state your name for the record. Your address is not necessary. Please disclose if you are a lobbyist. If you are representing an organization please identify. The presiding officer has discretion. Disruptive conduct such as shouting, or interrupting others testimony or council deliberations will not be allowed. If there are disruptions a warning will be given, further disruption may result in a person placed on hold or ejected from the remainder of the meeting. Please be aware that council meetings are recorded.

Wheeler: Thank you. First up is communications, item 707

Clerk: Request of Kelly Peterson to address council regarding protection of Portland's mother trees.

Wheeler: Good morning.

Kelly Peterson: Good morning. You can hear me?

Wheeler: Yep.

Peterson: Great, thank you so much. This is an honor. Thank you mayor Wheeler and city council members. My name is Kelly Peterson, I'm a native Oregonian and have lived in the Portland Oregon area all my life. I have lived in Multnomah village surrounded by douglas fir trees, including celebrated 150-year-old mother tree whose over 60 inches in diameter.

Remarkably, mother trees connect and communicate with trees in their expansive underground network while supporting and nourishing the younger trees as well as the soil

with food and nutrients and life. I'm here on behalf of concerned neighbors of Multnomah village to protect our mother tree and support the city's climate policy goals. But that can't happen if our established urban canopy is compromised for short-term gain. Specifically, we need to stop clear cutting our century-old trees especially when there are other ways for houses to share these lots and spare their needless removal. Ornamental trees do not replace the job of the douglas fir tree towering at 100 feet with enormous mass and carbon offset, helping Portland to our zero emissions goal. Scientists estimate just one doug fir sequesters almost 14 tons of carbon in its first 100 years. On this particular property at least seven 100-year-old fir trees including the designated mother trees will be cut down to make room for three homes . It's been untouched. 2,000 Portland residents have signed the petition. -- honestly as we start the process we hoped and expected to find protections in our city tree codes for these 100-year-old trees. Especially in the outer edges of a property. But we were wrong. And what we learned is Portland's tree codes fail to protect what few remaining large long standing trees we have in Portland. When they are gone, they are gone. But we can do something because these large trees are super heroes in fighting climate change and the trees we cut down today determine the future, temperatures of our neighborhoods and sidewalks and streets. It's not an under statement to say these trees are a real reason we live in Portland and why we loved Portland. When developers can pay to cut down 100-year-old trees, towering at over 100 feet to build million dollar homes, that violates the entirety of Portland's climate action plan and direct conflict with our city's stated priorities. That's why we are here today. We are calling on Portland city council to take action to preserve these long-standing trees like Multnomah village's mother tree, we need trees like her to stay standing that ensures our future livability. So thank you so much for listening.

Wheeler: Thank you, Kelly. Keelan, next individual, item 708.

Clerk: Next we have request of Angie Tanyi to address council regarding city tree code.

Wheeler: Good morning.

Angie Tanyi: Yes, good morning, mayor Wheeler, I am requesting that Karen Jackson speak in my stead this morning. I'm unable to continue with the meeting.

Wheeler: I believe that was approved previously. Go ahead.

Clerk: Karen, are you able to unmute?

Karen Jackson: Hi, can you hear me?

Clerk: Yes.

Jackson: Hi. Okay, are you ready for me to begin? Okay. Hello, my name is Karen Jackson. And I appreciate the opportunity to speak to you briefly today. It's my first time testifying before the city council so I'm going to read what I prepared. I'm a retired grandmother who moved to Portland 12 years ago from rural douglas county in southern Oregon, where in 1973 my husband and I purchased 40 acres of heavily forested property and lived and raised our family there almost 50 years. I'm not a stranger to cutting down trees, as you know, douglas county was known as the timber capital of the world at one time. When we moved to Portland to be closer to our children and grandchildren it was with some trepidation because we lived with nature in the forest for so long. We worried moving to the city where we wouldn't have that. We were surprised when we move today Multnomah village where the canopy provided life and variety of birds and small animals and welcome shade in the hot summer months. That property is the one that renaissance is about to clear to build two new large expensive houses. I understand the need and arguments for building more affordable housing, but this is not the case here. Renaissance is not building affordable housing on this property. Anyone looking at the property can see there is ample room to build two homes there without having to cut as many trees as renaissance is cutting. The largest trees are located basically along the perimeters of the property and could be retained if they wanted to. When a small group met with renaissance earlier this summer, we asked if they might be able to build proposed homes without removing so many trees. This was summarily dismissed and they use algorithms to determine the maximum amount of square footage, this means cutting the maximum amount of trees to allow maximum square footage of the dwelling. Viewing these magnificent old trees as obstacles that stand in the way of making more money. And this is happening all over the city. I understand that developers are being allowed to cut a certain amount of trees that might otherwise be saved if they pay into Portland's tree fund. Developers are allowed to destroy large life-giving trees in order to maximize profits. No amount of replanting of young trees could replace the damage done by the cutting of old mature trees. At least not in our lifetime or the lifetimes of our children and grandchildren. Which brings me back to my grandchildren. They are the reason I came to Portland and the

reason i'm testifying here today. This is not some abstract concern any more. The quality of the air, the extreme temperatures they must tolerate, the loss of other species are just some of the they will have to live with as a result of our allowing the current practices to continue. This is real and you the members of our city council are the people who have the power to help change the direction here in Portland. Thank you for your time.

Wheeler: Thank you, Karen. Next individual, please? Item 709, Keelan?

Clerk: Request of Dennis Harper to address council regarding use of central post office as temporary homeless shelter. Dennis, are you able to unmute?

Dennis Harper: Good morning, mayor Wheeler and city Commissioners, my name is Dennis Harper, are you able to hear me now?

Wheeler: Loud and clear, Dennis.

Harper: As an architect I have been paying attention to the plans to redevelop the central post office site at northwest Broadway and -- like others in the community I was disappointed to learn continuum partners pulled out of the 2018 deal with the city to develop the site. However this unfortunate circumstance could give us a chance to solve another problem. I feel this presents an obvious opportunity to quickly repurpose the huge building as a temporary homeless shelter at least through the winter. Naturally Multnomah county should be a partner. Combining the large capacity with the six managed tent communities the city plans to establish this fall, and with the upcoming expansion of the -- Lakes Hope center, I believe the city of Portland could meet the requirements of the 2018 federal appeals case, Martin versus Boise. There would likely be enough shelter beds. As a result the city could legally and ethically move homeless folks into one of these shelter communities so they no longer have to struggle for survival on city sidewalks, under passes, highways and unsupervised gray areas. Almost no citizen of Portland believes our city or county governments have done enough to manage homelessness. Voter approval huge ballot measures, the snail's pace of efforts made residents both angry and sad. This is a time for bold action. Please step up and be leaders, before the trickle of residents and businesses before Portland turns into a stampede, explain in the press what you were doing. Citizens need to know you are hearing them. Cleaning up the homeless camps and typical trash piles will help Portland's revival, especially as we control COVID. Bringing life back to our city. Thank you.

Wheeler: Thank you, Dennis, appreciate it. Let's see, next individual, item 710, please.

Clerk: Request of Aubrey Russell to address council regarding regional arts and council process for considering the removal of public art, monuments and statues.

Wheeler: Good morning, Aubrey.

Aubrey Russell: Can anyone hear me?

Wheeler: We can hear you, you sound good.

Russell: Thank you. I want to address rack and the process under way to consider removal of public monuments. I have a favorite mayor bloomberg quote which is "in god we trust, everyone else bring data". Portland contracts with rack, a private nonprofit to manage the city's art. And now they are considering removal of certain monuments. Because it's a private entity, it's process is private, it doesn't involve public comment. Despite the lack of public comment and the lack of a conclusion to a process, city staff seems to be some of them one mind with one another. The parks director, adena long tells us that returning certain monuments in the south park blocks is "inconsistent with community conversations". This is anecdote. It is not data. Jeff Hawthorne who runs the arts program for the city tells me in an email of comments made to the effect that the monument in the south park should be "reconsidered" and some would be "happy if there were something there instead". Again, this is anecdote, it's not data. Data we can get from voting or polling or a survey or from public comment. But we don't have any of that. Worse than hand picking anecdote is the fact that Jeff Hawthorne has told me the city is watching the conversation that's coming out of prototypes, an exhibit in northwest Portland. Prototypes, you know, explores how existing monuments "compound racial injustice and social inequity in the context of "the violence that is the American experiment". You should know that rack funds the prototypes exhibit. And provides guide [applause] -- guidance to the prototypes exhibit. You have a private entity spending community funds for a community conversation around a decision which it plays a key role in. The city, I'm told by a staffer, that the creation of the process is under way. That it is "vague but it will not be rushed". I will add it's totally unknown to the public. And that while it is under construction, it is very much under way. We are flying this plane before we have designed it. I ask that you one, hit the pause button until you have a process. Two, that the process be run by the city, not by a private entity. And three, that you put in place

robust public comment. I would say that we also have to, this is myself speaking only, cleanse this process from rack's taint. Rack is an interested party, they have been acting as an advocate, they are biased I think we can tell the way they are been spending money on something like prototypes. I see my time is up.

Wheeler: Aubrey, thank you. I did see your and Chet Orlov's article in the Oregonian. You made good points and I appreciate it. I know there is discussion at city hall about this particular issue. As you know, this is one of those hot button issues. Statues have become hot button issues in the last year or so. I will tell you my personal perspective. I believe that there are appropriate places for statues and maybe there's some inappropriate places as well. I think it's important we use them as opportunities to educate and inform the public. All art work, if it's good provokes emotions and opinions. And while, I certainly support the removal of statues that are frankly a threat or intimidating to certain communities here in the Portland area, for example, any confederate statues, certainly create a degree of trauma for certain communities, you know, but then you get into other questions like Abraham Lincoln. And for the life of me, he is a former president, Teddy Roosevelt is a former president. If there were aspects of their life under today's standards we would find reprehensible, we should talk about it as a teachable moment for our community. But I know this is the difficult discussion that rack is having. And I do agree with you there should be a broader discussion that includes the community. But that it should be done with sensitivity, understanding that against the back drop in the United States, emotions are running high. I appreciated your op-ed. It made me think about what role we should play, if any, in this process. And I think it also underscores the relationship we have with the regional arts council. I just want to say I appreciate it. And I thank you for being here today. I believe we have one other individual, Keelan, 711, last individual for communications.

Clerk: Request of Erica West to address council regarding gun violence.

Wheeler: Erica, are you there?

Erica West: Yes, can you hear me?

Wheeler: Loud and clear.

West: Good morning, city council my name is erica west. I appreciate this opportunity to speak this morning. I will be speaking about gun violence. Gun violence in our city has

reached epic proportions and seems as if there is no end in sight. We listen to the sta -- statistics everyday, in the news, in the newspaper, social media, from our friends and from our children. Yes, our children. Gun violence has affected our homes, our schools, our places of worship. Our restaurants, our parks, our neighborhoods, our public transportation systems and even our vigils where we honor our loved ones. No place is sacred or safe any more. Gun violence has created fear and anxiety and has cost us to be prisoners in our own private spaces. After losing two sons to gun violence, one in 2015, and another in 2020, our family continues, painstakingly --

Wheeler: Erica, you just muted yourself, I think.

West: The surging gun violence. My questions are, what is the solution to ending gun violence, or is there a solution? Number two, how many more families will suffer losses as a result from gun violence. Number 3, how can our communities become more proactively involved. I don't have the answers. And as a mother when has lost two sons, I thought I had a solution, but I don't. But I do know that we need more parental involvement. Involvement from faith leaders, our school teachers, our community leaders. Law enforcement and city and county officials. We also need to hear, listen and involve our youth. It takes a village to raise a child. And requires an entire community working together to combat gun violence. The pain of loss never goes away. It only intensifies each and every single day. We have had enough and enough is truly enough. Thank you for your time.

Wheeler: Erica, thank you. And thank you for being here. And I'm sorry about the loss of your sons. I can't even imagine what that is like for you and for your family and loved ones. I want you to know that I, as mayor, and this entire city council see the urgency of addressing gun violence in our community. And we are taking concrete steps to do that. I appreciate you being here. I see my colleagues also would like to say something. Commissioner Hardesty and then Commissioner Mapps.

West: Thank you.

Hardesty: Thank you, Erica for being here this morning. And thank you for your, just your empathy and compassion for the community kids. Clearly, the rise in gun violence requires us to have an all-hands-on-deck approach to how we solve it. And what I am learning, as we continue to prioritize ending gun violence, there are a multitude of reasons. Your first

question is how to we stop gun violence. We know domestic violence was up 400% last year for 2020. And this year it's already 42% up. I can't tell you today how many of those we can trace to gun violence. I can tell you suicide is way up. As far as the numbers from 9-1-1 call center. And there is no one solution. We have a multiple of solutions. Investing in community. Investing in strategic placing. Investing in community safety. Investing in infrastructure that creates safer communities. There's, many, many things we must do and continue to do to interrupt gun violence. But one of the things we have to do is actually address how guns are getting into our community. We don't have gun manufacturers here. So the fact that there is so many guns in this community is very troubling. I was heartened last week, a couple weeks ago when I learned that Multnomah sheriff in partnership with other law enforcement agencies, actually got 400 guns off the street. In one day. I was impressed with that. Because to me that was strategic placing. It was really actually following the evidence so you were having an impact. I want us, in Portland, to have that same impact but as of yet, I can't even get a map that shows me where the hotspots are. Where the shootings have happened. And I'm a city Commissioner. So I feel the frustration of community members who wonder what are we doing. And I can tell you, I'm doing all I can at the moment and will continue to stay focused on all these social determinants of health that actually eliminate violence in our community. So again, erica, I really appreciate you being here. I hope you are connected to some community-based organization who are providing you with support. And if not, feel free to reach out to my office and I'm happy to connect you with some community support. When you lose loved ones, especially your children, I know you need additional support. So thanks for being here and speaking so bravely.

West: Thank you, Commissioner Hardesty.

Wheeler: Commissioner Mapps?

Mapps: I want to echo many things shared with Commissioner Hardesty. First I want to thank Ms. West for her testimony tonight or this morning and I want to express my condolences for her loss, that breaks my heart and should never happen to any Portlander or any mother. I share your concern about gun violence here in Portland. I am the parent of two young black men and I worry about them every day, and I worry about their future here in our city. That's why I am committed to bringing down gun violence in Portland by 20% in the next 15

months. There are a broad range of strategies we can and are using to achieve that goal. It's a stretch, but I think that we can actually do that and that's the work I will be working on over the next year and a half or so. So please take care and thank you for sharing your experience and loss with us today.

West: Thank you very much.

Wheeler: Thank you, Commissioner Mapps and Commissioner Hardesty and thank you, Erica, for being here today. We appreciate it.

West: Thank, mayor, thank you, Commissioners.

Wheeler: The next is consent agenda. Keelan have any items been pulled?

Clerk: We had a request for 712.

Wheeler: Very good. That will be moved to the end of the agenda. Please call the roll on the rest of the consent agenda.

Clerk: Hardesty?

Hardesty: Aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: Aye.

Clerk: Ryan?

Ryan: Aye.

Clerk: Wheeler?

Wheeler: Aye. With that the consent agenda is adopted. We will go to the first regular agenda item, please. Item 717. This is a continuation. Read 718 also, that's a continuation but my understanding is we have an outstanding amendment on that, if I'm correct. I will ask legal counsel or staff to clarify that, but if you can read 717 and 718, please.

Clerk: Continue downtown business property management license fee for additional ten years and direct office of management and finance to review effectiveness of enhanced service districts and 718, authorize agreement for downtown business district management, district services, with clean and safe inc for estimated \$25 million for five years.

Wheeler: Colleagues today we will be voting on 717 and 718. Item 717, if you recall is the resolution to continue the downtown business district property management license fee for an additional ten years. That was a continued agenda item from last week. And I understand there may also be some proposed amendments and I will get to that in a minute. 718, to authorize downtown business management services with clean and safe incorporated over five years for an estimated amount of \$5 million. -- \$25 million. So before I do that, Commissioner Ryan, I believe you have an amendment and Commissioner Hardesty, it looks like you do as well. Commissioner Ryan, will you go first?

Ryan: Yes, thank you, mayor. Colleagues I would like to make a motion to amend so office of finance. Council clerk, can you please display again the amendment slide on the screen. This is for the first one, 717. That is nice, thank you for increasing the font size. Related to governance, the use of private security to patrol public areas, guidelines for establishing new and enhanced public service districts and inclusion of apartments as property manage fee payers.

Wheeler: Very good. Is there a second to Commissioner Ryan's amendment to resolution 717?

Rubio: I second.

Wheeler: Commissioner Rubio seconds. So that is on the table. I misspoke. I said that Commissioner Mapps had an amendment on the table for the ordinance. I was wrong, I was conflating that with something else. So forget I said that. Is there any further discussion on Commissioner Ryan's amendment to the resolution item 717?

Ryan: Mayor, I was wondering if the city clerk will read the conditions for accessibility.

Wheeler: Certainly.

Sheffield: Sorry, Commissioner Ryan, I think that we clarified that you had read the amendment. I don't think there was anything further to read that I have on this.

Ryan: Okay, thank you.

Ryan: Thanks.

Wheeler: That will be called Ryan 1. We will hold off on that for just a moment. We will hold off on the vote in case somebody has questions. Commissioner Hardesty?

Hardesty: Thank you, mayor. I move that we extend the current contract for one year as we answer the fundamental questions that have been raised by the audit. Should esd's exist? How should they exist? And whether or not the current model downtown is the best model to continue. Therefore the motion is to extend the current contract for one year while the key questions that the audit brought forward addressed.

Wheeler: Commissioner Hardesty is moving and that is to the ordinance 718 and it's specific to the contract period for downtown clean and safe, correct?

Hardesty: Actually, mayor, it would be to both. Because it doesn't make sense to adopt a policy, if in fact we don't know if it's the appropriate policy.

Wheeler: Okay. So you are proposing an amendment that's identical for both the resolution as well as the ordinance?

Hardesty: That is correct, mayor.

Wheeler: Very good. Is there a second to Commissioner Hardesty's proposed amendments?

Rubio: I will second for the purposes of discussion.

Wheeler: Commissioner Rubio seconds for the purpose of discussion. So let's first go to Commissioner Ryan's amendment. And then we will come back to Commissioner Hardesty's amendment for discussion. Commissioner Ryan, was there any further discussion on your amendment or is there any further question on Commissioner Ryan's proposed amendment to the resolution? Commissioner Hardesty?

Hardesty: I have a question to Commissioner Ryan's amendment. There's no time line laid out, there's no expectation of a report back to council.

Ryan: The process on this, Commissioner Hardesty is after listening to the testimony, there are a few concerns that came up. So Commissioner Rubio's office, staff and also mine met with people at OMF. And also with some constituents with the condominium lobby, if you will. And we came up with this amendment to make sure that we could be in due process to look at those concerns. Would anyone from OMF like to add to that? Shawn or anyone from OMF. There you are, Geraldene, sorry, you were on my third screen.

Geraldene Moyle: That's a great question Commissioner Hardesty.

Hardesty: Please introduce yourself for the record please.

Moyle: I'm Geraldene, senior project manager, leading the team through the downtown clean and safe negotiations. I would propose that the timeline is the timeline that Shawn Campbell, the e.s.d. Coordinator presented in the presentation last week which is an 18-month to 2-year timeline for the audit response. So we would need to come back to council. Shawn had multiple proposals, where he would be coming back to council with information on the progress of the audit response.

Hardesty: Thank you for that clarification. Did you want to add something, Shawn?

Campbell: Yes, this is Shawn Campbell with the e.s.d. Coordinator. Within the resolution, the part not being amended it does state I'm supposed to get back to you within two years with recommendations.

Hardesty: Thank you for that. And for me again, it was 30 years of no oversight, no transparency, no opportunity for the public to weigh in. When I showed up in 2019, it was a grassroots community group demanding an audit of downtown Portland clean and safe. I want to be clear. My issue is with the city and how this process has moved forward. And how fast tracked it is. And so, you know, it sounds nice that we are going to do all this stuff after we commit ourselves to another ten years of this contract. Understanding that yes, we can renegotiate but we already committed for ten years as we go forward as has been presented by the office of finance and management. So thank you for answering my questions, Commissioner Ryan. You know, my questions have been answered.

Wheeler: Further discussion on Commissioner Ryan's amendment? Keelan, please call the roll.

Clerk: Commissioner Hardesty?

Hardesty: 32 years is too long to wait for accountability for how money is spent and being able to track it. I appreciate Commissioner Ryan and Commissioner Rubio trying to find a path forward. Until we enter the basic question, who does esd serve? And do they serve the broader community? I cannot in good conscience support what doesn't feel like good accountability, so I vote no on this amendment.

Clerk: Mapps?

Mapps: I want to thank Commissioner Ryan and Rubio for bringing forward this amendment. It addresses some of the concerns I have. So for those reasons I'm happy to vote aye.

Clerk: Rubio?

Rubio: This amendment comes after multiple discussions with you all. And what we could get to in the past week. I don't believe it captures every single outstanding item in the amendment. But it does move us closer, I believe, to defining the work that we need to do and will take place. I vote aye.

Clerk: Ryan?

Ryan: Thank you, we are responding, this seeks to address the fee passed onto condo owners they feel are duplicative and redundant of charges already assessed by the condo association. We partner with the office of management and finance for issues related to governance the use of private security patrol and to patrol public areas. Guidelines for establishing new enhanced service districts and inclusion of condo as fee payers. I vote aye.

Clerk: Wheeler?

Wheeler: I want to thank Commissioners Ryan and Rubio for their hard work, and the work of their teams over the course of the last week. And I know that you put in substantial hours over the course of the week end as well in response to the testimony that we heard last week. I think this is a very reasonable approach as Commissioner Rubio said, it does not address each and every item, but it addresses a lot of them. It moves the ball closer towards the goal. And I'm very happy to support it. Thank you both for your work. The resolution is now amended. Item 717. Commissioner Hardesty's amendment is the same for both item 717 and 718. So we will have to vote twice on the amendment, but the language remains the same. Is there any further discussion on Commissioner Hardesty's amendment? Seeing none, please call the roll.

Clerk: Hardesty?

Hardesty: I want to be clear, the services provided by clean and safe are needed in downtown Portland right now. I would say more than ever. I am not proposing that we not move forward and continue the hard work of recovery together. What I am saying, is that it does not appear to make sense to me. That we spent a lot of time working with community to get an audit of clean and safe and in fact we ignored it in a rush to put this contract in place. I have never heard of signing a contract with the intent of going back to renegotiate policy decisions. Policy decisions are the city's. The city really wanted there to be representation on this committee. There would be. And so that is why I am recommending that we take a pause and

do the work that the audit requires of us. For me, I would like to see e.d.s.'s pay for part of open spaces, the meeting spaces that we are developing all over the city of Portland. But this rush into a new contract? Does not give us an opportunity to see what's different now. And what the potential is for other partnerships. I urge you, colleagues, there is no fire. The services will continue. As they are. Until we do it right. I vote yes on this amendment.

Clerk: Mapps?

Mapps: I want to thank Commissioner Hardesty for bringing forth this amendment and raising this discussion. I'm going to be a no here. And there are a couple reasons for that. One is, I believe that Ryan, Rubio's amendment lays out a path and timeline for addressing the concerns that Commissioner Hardesty has raised. And also the substance put forward by Commissioner Hardesty doesn't quite make sense to me. The Commissioner has proposed a one-year extension of the clean and safe contract but we just heard from staff the audit where these issues will be raised, the proposals will be brought forth before council, will not be before us until another 18 months to 2 years. So the map and timelines there do not matchup. And the final thing that drives me to vote no here is I believe the businesses and residents who live downtown deserve some reassurances about the basic level of public safety and cleaning services that the city is going to provide. If we urge businesses to move back, we should pick up the garbage, graffiti and remove needles from the sidewalks. For that reason I vote against this amendment.

Clerk: Rubio?

Rubio: I want to thank Commissioner Hardesty for bringing this amendment forward and I think these are important discussions we have as a council, and I appreciate we are having it here. And I also want to appreciate the focus on the big questions. While I truly support and believe we have the same goal here, very aligned goals, there are many different paths and approaches towards getting here. And a key difference for me is I want to move forward with the important changes to our security and labor agreements for front line workers. While still addressing the outstanding systemic issues. I'm concerned and not willing to put them on hold or abandon the progress we made and advocated for, my team has advocated for. Along with government transparency, these issues were things I've stated were top priorities from

the start. But the bottom line for me is the contract needs these changes to be implemented right now rather than a year from now. For that reason I will be a no on this amendment.

Clerk: Ryan?

Ryan: No.

Clerk: Wheeler?

Wheeler: The basic contract that was negotiated by our city staff, and I want to thank our city staff again for their tremendous work, Geraldene and your team already includes some fundamental changes around transparency, around accountability, around the way that private security guards would conduct their business throughout the downtown area. There's more of an opportunity for reporting back to the council. So fundamentally the contract is an improvement over the existing contract. Secondly, this council publicly stated that its top priorities are safety, addressing homelessness, and improving livability. And all of us have acknowledged at one point or another that reopening and encouraging people to come back downtown is critically important to the recovery of this city. I believe this contract is fundamental to the safety and cleanliness of our core downtown business district. So I'm inclined to support the contract as it is anyway. I want to thank Commissioner Hardesty though because she raised legitimate questions about the overlay between the audit and this contract. And that is a legitimate issue. And I appreciate her for raising it. But the sense of urgency that surrounds this issue, the work city and staff have taken, I think to bring the transparency and accountability to this contract, combined with the very thoughtful resolution or amendment put forward by Commissioners Ryan and Rubio on the resolution address many of the same concerns raised by Commissioner Hardesty. For that reason, I vote no on this amendment to the resolution. The amendment does not pass. Please call the roll on the amendment to the ordinance. It's the same language.

Clerk: Hardesty?

Hardesty: First I want to thank you, colleagues. I appreciate the opportunity to make the case for why the rush to voting yes on this contract is a failure of leadership. I appreciate your positions on this. But I want to tell a little story about my first, actually my first month in office. Ran into this group of community members named rack. And rack wanted answers about how e.s.d.'s were formed. They wanted to know why they had to do a public records request

to get information how these dollars were being invested in our community. They also wanted to just have some transparency. What is the relationship between Portland business alliance and clean and safe? I want to be really clear. I have the utmost respect for Andrew at Portland business alliance. He has worked with me on things that I never thought the Portland business alliance would partner on. The business association and condo owners didn't ask this question, the clean and safe organization didn't ask this question. It's the people living on our streets who don't have a voice in our democracy that actually created the where with all for the auditor to actually audit these e.s.d. Programs. Now when I came in January of 2019, I was told that the central east side industrial district, it was a done deal. It was on the fast track. And we were going to pass it. But I'm not someone who actually ignores community voices, even if something is on a fast track. We committed, my council colleagues and i, committed to creating a new model that actually would engage houseless people and not see houseless people as a problem for elimination. The model included unarmed security, houseless representation on the e.s.d. Board, transparent data collection and sharing, among many other positive attributes. It was an intense effort that we had to slow down in order to broker a compromise between many different people who live, work and create in the central east side. For over a year, I had multiple staffers attend weekly meetings on this difficult but ultimately very rewarding work. Finding a compromise that value businesses, residents, community members and advocacy organizations. After all that work, and after a city audit highlighted the lack of oversight and the other e.s.d.'s I expected us to start with the c. -- model. As we look to renew a new e.s.d., with the clean and safe e.s.d., I engaged since last January pushing three major changes to the agreement. None of which have been incorporated into the current contract. My three major concerns for this contract are, there continues to be armed security operating within the e.s.d. Especially since earlier this summer a private security guard without the proper license to carry a gun shot and killed freddie nelson junior in north Portland. I want to see mandatory community representation on clean and safe boards similar to the c.e.i.c. E.s.d. I continue to be uncomfortable with the financial relationship with clean and safe which supposedly provides cleaning services and the Portland business alliance a regional business lobbying group that lobbies for a whole host of business interests that may or may not reflect the values in a direction the city of Portland is

headed in. I value my relationship with the Portland business alliance and always willing to listen to a variety of perspectives. But on this one we will have to disagree. It's important to note that other business advocacy organizations support my amendment for a one-year extension. And by the way, one year, two year, you could have had a counter proposal. If one year didn't work. I appreciate their contribution to this conversation. Yes there have been minor improvements on this contract and I appreciate the work of office and finance and their staff and the time they put into this effort. However, I am hearing overwhelmingly concerns this process must be slowed down. They want this council to spend more time responding to the concerns expressed in the audit and the community concerns that ironically were not mentioned in anybody's alternative approaches to this contract. The community that lives downtown on our street deserves respect and they deserve to be part of the solution. I am really disappointed today but I'm sure it won't be my last disappointment on this council, certainly not my first. But I'm certainly going to vote no. And I want to be really clear, Andrew, you and I will continue to be strong partners where we find agreement. And we will continue to agree to disagree when we can't. I appreciate your willingness to work with us. But I -- this is on a city. This is not on the Portland business alliance. The city failed the community today with this vote. I vote no.

Wheeler: Commissioner Hardesty, just to clarify, this is still a vote on the amendment to the ordinance. So I think you want to vote yes on your amendment to the ordinance. We're not voting on the main.

Hardesty: I'm sorry, I moved onto where I thought we were voting on -- we are still on my amendment?

Wheeler: We are still on the amendment to the ordinance. The amendment was attached to the resolution.

Hardesty: I voted yes.

Wheeler: No you have to give the whole talk all over again.

Hardesty: My a policies. My heart and soul is in these issues. If this is my amendment I put forth to extend it for one year, I am emphatically yes-vote.

Clerk: Mapps?

Mapps: The amendment is to extend by one year so this council can have a high level discussion. I look forward to having that discussion. It's in the works. We heard from staff today that they are preparing a set of proposals for us. And we also heard that it will take between 18 months and 2 years to get those proposals before this council, which does not match up with the 12-month extension that is proposed in this amendment. These various pieces of this proposal, in other words, colleagues, don't fit together. Basically create other problems in the very short-term and for those reasons I vote no.

Clerk: Rubio?

Rubio: I'm sorry, mayor. I thought we had, so this vote. What did we just vote on?

Hardesty: I did too, I thought we were on the main motion.

Wheeler: Just to clarify a point of order. Commissioner Hardesty attached the amendment to both item number 717, the resolution as well as 718, the ordinance. Therefore they have to be voted on separately. We already took the vote on --

Rubio: For the reasons in the last vote, I will be a no on this amendment?

Clerk: Ryan?

Ryan: No.

Clerk: Wheeler?

Wheeler: I vote no. The amendment doesn't pass. We will vote on the resolution as amended.

Clerk: Hardesty?

Hardesty: No.

Clerk: Mapps?

Hardesty: Excuse me, I'm confused.

Wheeler: Now we are voting on 717, the resolution as amended. And subsequently we will vote on 718, the ordinance.

Hardesty: Okay, got it. Thank you.

Wheeler: Yep.

Mapps: Um, I vote, I'm trying to decide if I should deliver my big speech now or the next one.

Wheeler: I will give my speech on the first one so I don't have to on the second one, if that helps.

Mapps: That does help and I hope that advice is helpful to my colleagues. Mr. Mayor, colleagues, the issue before us today is whether or not this council should adopt an updated five-year contract with a nonprofit group clean and safe. Which has been the contractor the city has worked with for decades to supplement garbage and graffiti removal services and basic public safety services downtown. You probably know what clean and safe is. If you ever find yourself downtown early in the morning and see people on bikes emptying garbage cans or removing graffiti from the sides of downtown buildings or picking up trash around houseless camps or some of those cops on mountain bikes you see downtown, that's probably clean and safe. Before I get into the reason for my vote, I want to thank everyone. I want to thank all the city staff, all the council offices who contributed their best thinking on how to promote livability and public safety downtown. In addition, I want to thank all the Portlanders who provided testimony, via listening sessions, online comments, emails and letters. I heard you and learned a lot from our discussions. Here is what I learned from our conversations. I learned that in 2020, clean and safe collected more than 73,000 bags of trash. They collected more than 47,000 needles on the sidewalks of downtown. They cleaned up more than 46,000 bio hazards, a polite way of saying poop and 40,000 graffiti tags. Learned many downtown businesses and residents wanted the services by clean and safe to be vital to the viability and vitality of our downtown neighborhoods. Now, I also heard from critics of downtown clean and safe. Many Portlanders were frustrated with the process, which created the proposal before us. I heard concerns about the fees and private security guards employed by clean and safe interacted with the houseless community. I heard concerns about the very concept of public private partnerships voted to promote livability and public safety. And I heard concerns about the role that the Portland business alliance plays in those programs. Now, I share some of those concerns and that's why I was glad to see and vote for the amendments offered by the Ryan and Rubio amendments. They address many lingering concerns I have about this contract. Let me now explain my vote today. The vote I cast today is going to be based on two things. One, the arguments that we have heard this morning about how we can keep downtown clean and safe. My vote is also informed by the unique perspective I bring to this question by virtue of being the Commissioner in charge of the bureau of emergency communications and by being this council's liaison, the Portland's

tourism industry. I would like to take a moment to share those perspectives with my colleagues and with the public. As many of you know, I'm the Commissioner in charge of emergency communications. Bowic is responsible for answering 9-1-1 calls and dispatching our first responders to that call. They receive about 2,500 calls a many, on top, clean and safe responds to about 1200 calls a month that would otherwise go to police, fire or ambulance. Colleagues, as the Commissioner in charge of distributing public safety resources in real-time, let me be blunt. The central precinct does not have enough cops, fire trucks or ambulances to respond to an additional 1200 calls a month. If we fail to renew this contract, the basic services will disappear and will not be replaced in the immediate future. In other words, if we fail to approve this contract, downtown will become less livable and less safe. I have another perspective. I serve as this council's representative to Portland's tourism travel and convention industries. And I have the sad duty to report that Portland's hospitality industry is on life support. In 2019 Portland's average hotel occupancy rate was 74%. 2020 our occupancy rate fell to below 37%. And there's more bad news. We have done extensive market research to try to figure out why people are not visiting Portland. And the answer to that question has evolved over time. Last year covid was the primary reason tourists stopped visiting Portland. However, our market research shows that today, there's a new reason why Portland is no longer a tourism destination. Tourism has died here in Portland because potential visitors view Portland as being unsafe and unlivable. It's not just outsiders who perceive downtown that way. I hear it from Portland residents too. Now colleagues, I believe that we are at a crossroads in Portland's recovery. At this point in the pandemic, downtown Portland should be well on its way to recovery. But we are not. Today the thing that is holding back downtown recovery is not the virus. It is our bad reputation. And frankly, we have heard that reputation. I recognize that's a lot of bad news to absorb. But I also have good news. Fixing this is not rocket science. The way we fix our reputation for bad public services and resume our recovery is to do a better job of providing the people of Portland with basic public services like picking up the trash, cleaning graffiti and supporting our houseless neighbors. Colleagues, I believe that our city's economic recovery depends on this council efficiently providing basic services to downtown and every other neighborhood in this city. And I'm also 100% certain that ending the clean and safe program would hold back our

economic recovery. And I'm 100% convinced that continuing this program would make downtown cleaner, safer and more prosperous. And for those reasons, I vote aye.

Clerk: Rubio?

Rubio: I first want to acknowledge the tremendous engagement and questions and concerns raised by the community, stakeholders and also my colleagues and also the important perspectives we have been discussing today and actually over the whole week. I want to acknowledge this has been a less than ideal process, in that we know that we need to look at the e.s.d. System but we are presented first with just one of the set of contracts. But this is where we are at. And this is why Commissioner Ryan and my team have worked hard over the last week and consulted also with my colleagues and some stakeholders and community members. And it has resulted in making some very important changes now. And ensure other big issues that apply to all the contracts will be focused on first in the audit process to come. And for future learning, I also want to acknowledge that community input was given in the five listening sessions and in the last week. But I can't help but wonder if more engagement would have been possible and more complete if we were dealing with the full system and not just one set of the contracts. This is part of a process that should always be at the center and that's just my opinion and ones I will bring forward. As I mentioned before, I know this is not where this dialogue ends. And some significant changes in response to the questions that were raised have been made. And it's actually ramping up in what I hope is to become a more productive systemic conversation. We have clear communication from invested community members about the changes still needed in the system and the questions still remain to be answered. These changes that are called out, will be addressed in that next portion in this ongoing process. The next 15 months we will define the e.s.d. System and we expect city staff to address the outstanding concerns raised since we released the draft. But more specifically my office is committed to being very closely involved making sure we release armed security guards from 25% to 0% in this next time frame. That is a lens I'm bringing in a this work as well. We also expect city staff to come back to council within this time frame to present us with more options and making safe, all these questions more answered and more transparent and accountable to the public. And including and especially our houseless neighbors. Lastly we must address once and for all, the government -- governance. These are the main

priorities that we will continue to work on in the moment that it comes out of council. But it's also important to recognize there are other folks that are affected by this decision and why I believe we can't just, we need to move this forward today. And while there are many needs for system and practice changes we also need to think about the impact this decision has on some of the subcontractors connecting with today's decision. Many are working people, janitors, guards and other workers and they are on the front lines servicing the district and working day in and day out during the pandemic. To me these workers matter just as much as other pieces we are talking about. They are a part of the big picture and are a big factor on why we need to move forward. The city's new contract will be in line with the sustainable procurement policy and fair wage policy and this is an important change to me, which means the contractors who are looking to work under this program will need to be responsible contractors with labor peace provisions. And also responsible contractors provide their workers, we all know this, with living wages, affordable benefits and a voice on this job. So colleagues, I know this contract isn't perfect, everyone's ideal but it represents significant progress with greater opportunity for more changes ahead. I want to thank everyone for the robust conversations. I have learned so much through this process. And how it's made us be better and sharper about how and when to be engaged and lifts up the importance of this kind of work. I also want to call out my staff rico for all his tremendous work, working with council offices and making sure our priorities were moving forward in this process as well, as well as jillian, my chief of staff. Lastly, my office team will stay laser focused and keep the city true to its 15-month commitment to finishing the job. So for these reasons I vote aye.

Clerk: Ryan?

Ryan: Yes, thank you. First, many thanks to the Portlanders who have voiced concerns about the city's contract with clean and safe. Portland is experiencing great distress on many fronts, to many downtown Portland is not clean nor safe. This is like never before in our city's history. In this moment clean and safe is a critical resource, an effort to recover our city for our businesses, unhoused residents and visitors who want to enjoy all Portland has to offer. It adds mental health training, will address the multiple community safety concerns and fears caused by the rise of crime and gun violence within our community and especially in downtown. Commissioner Mapps mentioned many notes I had in my response, so I will be

quick to say if I want to look at anecdotes read some grim notes from trip advisor. The truth is, as expressed by Commissioner Mapps, it is safety concerns really hitting our downtown Portland's business district, especially hospitality. I also just want to add a personal note that I just recently experienced, we all do. But I was at a meeting with leaders at university of oregon. They were celebrating the opening of their campus and other locations throughout the state. The one location that didn't open last week is their campus in old town. It was all due to safety concerns. Personally, I wanted to see two improvements in this contract with clean and safe. Adoption in the number of armed security guards, increase in de-escalation training with emphasis on mental health education. This contract has met those needs. I want to acknowledge the partners central city concern and s.i.e.u. Members, especially the essential workers that have been keeping our city running. I wanted to just end by saying that this is an important moment for our city to get behind all the efforts of those on the front lines and I'm really happy to vote aye.

Clerk: Wheeler.

Wheeler: Colleagues, for better or worse we were called to public service at a very difficult time in this city's history. The problems facing this community are well articulated to us. By the public. If you get as many calls and emails as I do, and conversations in the community as I do, you know the public is at wit's end. Our council priorities suggest that we as a council decided to do something more than articulate what the problems are. I agree with Commissioner Mapps that the first step here is being able to properly diagnose what the problems are. You can't solve them until you can properly diagnose them. And we have. We, as a council have stepped forward and we have identified our four collective priorities. Public safety improvements. Addressing homelessness and unsanctioned camps and finding compassionate and humane alternatives for those who are living on our streets. Addressing livability issues. Whether it's graffiti, litter, or as was said earlier, bio hazards. Our fourth priority was economic recovery. All of these things are interrelated. We as a council are in a position we don't get to just talk about the problems, we look to act and solve the problems and we are. Over the course of the next few weeks as we get in the fall bump and begin our budget process we will have the opportunity to vote for more police officers. We are going to have the opportunity to support more interventions around gun violence in our community.

We are going to have the opportunity to significantly expand the Portland street response model. We are going to have the opportunity to expand the 3-1-1 call system so that the public's concerns are more quickly addressed. We will have the opportunity to live with and support businesses large and small in every corner in the city of Portland. That's where the rubber meets the road. I can go to nextdoor.com and hear about the problem all day long. But what we are challenged to do is to act and resolve these matters. I believe this contract provides us just one more opportunity to resolve some of the safety and livability issues that have impacted the downtown community this process, in my opinion, has not been rushed. It's been thoughtful and extensive. I want to thank our amazing city staff who worked tirelessly almost half a year, Geraldene, Scott Karter, Shawn Campbell, the first e.s.d. Coordinator, thank you. I truly appreciate the thoughtfulness and diligence you brought to this process. I know it was arduous at times but you were the right folks for the job during a very difficult time. I want to just say this. Great work all around. You rose to the occasion and you did your jobs and you did them well. Thank you. I deeply believe this new contract and scope of work is far better than anything we have had in the past. This contract now outlines clear reporting and record retention guidelines, it provides greater city oversight. It conveys specific deliverables and areas of responsibilities for each of the parties involved and allows for more transparency and accountability measures in the operations of downtown clean and safe. We have also tackled the thorny public safety aspect of this contract. We created more transparency reporting and identification processes for clean and safe officers. As well as putting in write a concise scope of work what these officers can and cannot do. To promote safety over authority in downtown. And I will openly state that I'm grateful that we are able to continue to fund our four p.p.b. Officers. Crimes on the rise and calls for community safety are heard from local business owners and residents alike. I want to make it clear these bike officers are not at the beck and call of clean and safe or any other private entity. These officers have their own management structure within the Portland police bureau and they are very engaged and involved with the downtown community they serve. I see that as a positive. While it's easy to focus on the public safety aspect which we should, I don't want to lose sight of the clean side of clean and safe. This focuses heavily on maintaining cleanliness, focus on responsibility, accountability and expected outcomes for the city as well as clean and safe. We

need to rebuild the vibrancy and livability of our city's core and we need to do it together. While these changes are significant and robust, I recognize that this is not the end of the conversation. Geraldine said at the beginning of her opening remarks, this was not the end of the conversation, this is part of an ongoing conversation. This is another step in the overall process. As you have heard today, we have committed ourselves to a full evaluation of the role and the structure of all enhanced service districts in Portland, their management, their rate payer structure and other issues. I absolutely look forward to addressing and resolving these concerns after an evaluation timeline and I encourage our community partners to continue to provide input and stay involved throughout the process, as I know they will. I would like to once again thank everyone involved in the contract renewal including my council colleagues and the fantastic staff that works with all of us. I thank you for your valued input and suggestions. We have made some great strides today and we should be very satisfied with the results. I vote aye. The resolution is adopted as amended. And with that, please call the roll on item 718, the ordinance.

Clerk: Hardesty?

Hardesty: Fundamental question that I hope my colleagues answer as we move forward, is should people with more money be able to buy more access to justice? When e.s.d. Contracts by police officers assistant d.a.'s and provide quicker punishment for folks in a community, I cannot say that we are living up to our resolution about centering bipoc voices that we so proudly passed last year. The reality is we could have and should have done better. I appreciate the hard work with office and management but we didn't start with the fundamental questions that must be answered. Garbage is all over the city of Portland. You know, I love that Portland business alliance likes talking about tons of garbage. I don't know why we talk about tons but the bottom line is garbage is all over this city. Every freeway over pass, because as a city we have failed our houseless community members. We will invest dollars in downtown. But if anyone here today thinks this contract is going to renew downtown Portland, I have a bridge to sell you. The reality is, is that we are in the midst of an economic devastation for many of our community members. We have 10,000 people facing eviction in December and no plan on what we are going to do for them. The piece that's missing from this contract, with its improvements is what are we going to do with those

severely mentally ill people who are occupying our downtown and all over our streets, all over the city of Portland. Nothing in this contract addresses people who are suffering from severe mental issues. Our traditional approach has been --

Unidentified Speaker: [indiscernible]

Wheeler: Someone needs to mute, please.

Hardesty: This new contract doesn't actually address one of the most fundamental crises on our street downtown. We don't have anywhere to take people suffering from severe mental health issues. I have talked to police officers on the street. I have talked to service providers, we have nowhere to take them. Even with the new contract. Even with the new oversight are we going to use police? The data shows when 50% of arrests are for people but for being houseless, that's not a good use of our limited public safety dollars. So, as you know, I have some fundamental disagreements with this renewal. Because we are renewing a system we have refused to answer the basic questions. I hope, colleagues, you know, I've been doing this since 2019. When I showed up. And ten years before that working with community. I hope you colleagues will really dig deep into this and make sure that you are, you keep your word. That you actually are going to make sure this works for all the people in downtown. Not just for the folks privileged enough to own a business. I vote no.

Clerk: Mapps?

Mapps: Mr. Mayor, colleagues, I appreciate Commissioner Hardesty's comments here, although we disagree on this issue. I do look forward to the discussion of enhanced service districts, as we heard from staff, that will come before us in two years. I think lots of rich issues there. For example, I'm not quite clear what the principle difference between an enhanced service district is, and local improvement district, might be sponsored by p.b.o.t. They strike me as being kind of similar. When we get to that in 18 months it will be great to have my thinking clarified on that. I also will say a failure, given my experience as our liaison to the travel community and the tourism community and the convention community, I can tell you quite clearly the failure to pass this contract will hinder the ability of our downtown neighborhoods to recover economically. And I will also point out that a vote against this contract leaves no answer to what we are going to do with about 73,000 bags of trash that accumulate downtown that currently clean and safe is cleaning up. A vote no on this tells us,

it gives us no solution for picking up the nearly 47,000 needles that clean and safe picks up from our downtown streets every year. A vote no on this provides no solution to cleaning up, how we are going to go about cleaning up the 46,000 bio hazards that clean and safe collects every year. And a vote no on this provides no solution to how we are going to remove the nearly 40,000 graffiti tags that clean and safe currently removes from our downtown buildings every year. That's why I vote in support of this contract.

Clerk: Rubio?

Rubio: I made all my comments in the previous vote, so for all those reasons, I vote aye on this ordinance.

Clerk: Ryan?

Ryan: Same, I vote aye.

Clerk: Wheeler?

Wheeler: Aye. The ordinance is adopted. Thank you, everybody. Next up, item 719, it's the second reading. Is there discussion? Go ahead, sorry.

Clerk: Authorize \$50 million of long-term bonds for local improvement and sidewalk repair projects and finance of system development charges plus additional moments for issue costs.

Wheeler: Colleagues this is a second reading. We already heard a presentation and opportunities for public testimony. Is there any further business on this item? Seeing none, Keelan, please call the roll.

Clerk: Hardesty?

Clerk:

Hardesty: Aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: Aye.

Clerk: Ryan?

Ryan: Aye.

Clerk: Wheeler?

Wheeler: Aye. 720, second reading.

Clerk: [reading item 720]

Wheeler: Any further discussion? Seeing none, please call the roll.

Clerk: Hardesty?

Hardesty: Aye. This is a good use of the city of Portland's u.s. Department of justice grants. It will allow us to hire a videographer, a professional videographer to help us develop training tools for Portland police bureau. I see a very good alignment with the civilian police training person that will be coming up soon. And so, I am happy to support this, I vote aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: Aye.

Clerk: Ryan?

Ryan: Necessary targeted resources. Aye.

Clerk: Wheeler?

Wheeler: Aye. Next item, 721, also a second reading.

Clerk: Authorize intergovernmental department with oregon department of transportation for reimbursement for work zone projects traffic enforcement.

Wheeler: Any further discussion? Seeing none, please call the roll.

Clerk: Hardesty?

Hardesty: Work zones are the most dangerous places in the city of Portland. The injuries to workers are just astronomical. The fact that Portland police have to respond to these scenes they should be paid for actually being able to protect workers in these very dangerous zones. So I'm very happy to vote aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: Aye.

Clerk: Ryan?

Ryan: Aye.

Clerk: Wheeler?

Wheeler: Aye. Item is adopted. Item 722 is also second reading.

Clerk: [reading item 722]

Wheeler: Commissioner Mapps?

Mapps: Mr. Mayor, I believe I have an amendment on this which has been introduced. I would like to withdraw that amendment and make a motion Commissioner Hardesty and her staff for giving us additional information on this. I think at core there's an important equity issue sharing parking meter revenue with our downtown neighborhoods. I also recognize that I'm giving PBOT's current funding model if they lose these dollars it would create a series of other crises to which I do not have a solution. Instead of pushing forward with an incomplete plan, I think I would like to just withdraw all the amendments and let the ordinance stand as originally introduced.

Wheeler: Commissioner Mapps withdraws his amendment without objection. Please call the roll.

Clerk: Hardesty?

Hardesty: Aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: Aye.

Clerk: Ryan?

Ryan: Aye.

Clerk: Wheeler?

Wheeler: Aye. The item is adopted. Item 723, an emergency ordinance?

Clerk: Add accessible of debate and open program code to make it fairer, simpler, easier to navigate and better optimized to achieve program goals.

Wheeler: Commissioner Rubio?

Rubio: Mayor, we are pulling this back to our office.

Wheeler: Without objection, item 723 is being pulled back to Commissioner Rubio's office. Item 724, please?

Clerk: Approve application under multiple limit tax, under the inclusionary housing program for east burn side apartments located at 2202 east burn side street.

Wheeler: Commissioner Ryan?

Ryan: Sorry for the delay. Okay. Thank you, mayor. Colleagues, today I'm requesting council adopt this amended ordinance to enable -- am I on the right one? Are we on 723? No, 724, I'm on the right one.

Ryan: Real-time. I ask council apply for a grant that will increase our city's resiliency.

Ryan: My screen just went blank can I start over. This asks us to consider the multiapplication for burn side apartments. I would like to turn it over to staff for their presentation. Matthew Tschabold you are here? Please save me. And Dory, please take it away.

Matthew Tschabold: Hi mayor and members of the council. I'm Matthew Tschabold with the Portland housing bureau. We are here for a multi-approval for another inclusionary housing project. Just to give you an update where we are with the program we currently have projected minimum of over 1200 units with the majority 60% area median income and below. You can see on the chart the spread around bedroom count and what rents are for new construction. Average market rate and regular units in the city. The project we are here to talk about today is the east burnside apartments on east burnside and 22nd. This is a 119 unit project using the reconfiguration option. And through the reconfiguration option, also talked about the bedroom reconfiguration or family sized unit option, the developer has opted to provide four inclusionary housing, three-bedroom units of 60% of area median income. This is a significant discount in rents compared to market rate. This is outside the central city, the property tax exemption is only on the affordable portion of the building. As such, this is a very good return on the property tax exemption to get these four bedroom units for 99 years and the housing bureau recommends this for approval. And dory and I are here to answer any questions.

Wheeler: Colleagues, any questions? I'm not seeing Commissioner Hardesty?

Hardesty: Thank you, Matthew for that presentation. I'm always intrigued by the bedroom configurations. Are any three bedroom units not inclusionary housing units?

Tschabold: Thank you for the question, Commissioner. No. The only three-bedroom units will be inclusionary housing units. There are as many two bedroom units as three-bedroom units

in the building. Thus they are in compliance with the recent rule changes we made. Both in terms of the requirement to have two bedrooms in the building when there are three bedroom i.h. Units and the square footage of these units are larger than the one and two-bedroom units.

Hardesty: So let me get this right. We have eight units that will be considered family units and four of them will be inclusionary housing units. And the other four are two-bedroom units at market rate?

Tschabold: That is correct.

Dory Van Bockel: This is Dory Van Bockel, there are 28 2-bedroom units in the building. The requirement is there would be add least four two-bedroom units in order for the fourth three-bedroom units to be reconfigured and meet the i.h. Requirement.

Hardesty: What is the minimum bedroom square footage for the three-bedroom units?

Wheeler: Go ahead, dory.

Van Bockel: I was going to say based on the average square footage of the one-bedroom is 573 feet. So the new reasonable equivalency requirements of the administrative rules updated earlier this year. The three-bedroom units need to be at least 160% of the amount of the one bedroom so that would be at least 917. And the three-bedroom units are in fact 1,027 square feet.

Hardesty: You didn't answer my question about the size of the bedrooms themselves.

Van Bockel: You know, we don't measure that when reviewing the applications. We would have to go back to the plans and look at that. But we can certainly provide that information later if you would like.

Hardesty: Well, I mean, I'm concerned the low income units always have smaller bedrooms than the market rate units. As you know, as we have been talking about this for the last few years we are hoping the administrative rule changes would actually not penalize people for being low-income in these units. You know, I'm still trying to figure out if the rule changes actually require three bedroom units to be of equal square footage for bedroom sizes. I mean, because remember, some of the ones you brought to us, were just outrageous in the past. I just want to know if we have moved the ball at all. And actually making sure we are providing equity. In these lower income units.

Van Bockel: It has been changed to at least require still that these three-bedroom units are significantly larger. Rather than some of the one, in particular, application we reviewed where the three bedroom units were closer in size to the one-bedroom units. In instance for this case being over 160% larger, there's definitely going to be you know, better-sized bedrooms than in the prior example.

Hardesty: And when will the audit be completed?

Tschabold: The city auditor's audit?

Hardesty: Sorry, you were doing a study. Was it a study. Audit was probably not the right word. You were going to review inclusionary housing and then come back and report what you found. Because you know, the question is, are we having an impact, and if so, where. Just looking at your first picture we are having the biggest impact in single occupancy housing, right? With one individual. That's where we are having the most success.

Ryan: Matthew is putting up the scope of work for the upcoming study you are mentioning Commissioner Hardesty we approved at the end of the budget dialogue last spring. I appreciate you bringing that up.

Tschabold: Thank you, Commissioner for the question, and thank you Commissioner Ryan for the segue. We are moving forward on a study given allocated in this budget year. We are finalizing the scope of work as we speak. We will be doing some outreach to some key stakeholders before we issue that r.f.p. Which includes all your offices. Shannon will be reaching out to all your offices in a few weeks. We will then engage with procurement services to solicit the consultant as well as putting together a stakeholder process to involve members of the community and members of the development industry and our review. We estimate that stakeholder process and the actual study itself and the feasibility analysis and calibration will take place in January to July of next year. And then we should have the findings to inform recommendations in consultation with Commissioner Ryan's office by late summer, early fall of next year.

Hardesty: Excellent. That's a great timeline. I'm curious if the plan is for the consultant to talk to community members who are now residents in these buildings? Especially those with the mysterious square footage.

Tschabold: So that could certainly be something we put into this overall work plan. As I mentioned we are going to get additional feedback on the scope of work. That's not something the consultant can do. That's certainly something we can figure out how to put in the work plan. Who is best to do that component of work.

Hardesty: I think it's vital we talk about the people living in these units. Especially, you know, we could announce like 5-6 of them we know have some weird configurations, or you have families living with all singles in buildings. There can't be any kind of evaluation without actually hearing the voices of the people who are living in these units. So I would hope that with be part of the scope of work.

Tschabold: I think that's a great suggestion. Thank you, Commissioner. And we will definitely figure out how to include that in the work plan so we are getting that human element of the program as well as the technical element.

Hardesty: Yes. Thank you.

Ryan: And for the record, the pre-rfp scope of work feedback will include visits with each Commissioner's office. Great suggestion, Commissioner Hardesty.

Hardesty: Thank you.

Wheeler: Any more questions for staff at this point? If not, Keelan, do we have any public testimony on this non-emergency ordinance?

Clerk: No one signed up.

Wheeler: Very good. This is a first reading of the non-emergency ordinance. It goes to second reading. Colleagues that leaves us to one item pulled off the consent agenda, item 712.

Clerk: Authorize application to department of homeland security federal emergency management agency hazard mitigation grant program up to 471,855 to increase city resilience with a comprehensive city building damage assessment plan.

Wheeler: Very good. Can I ask who pulled this?

Clerk: Commissioner Ryan.

Wheeler: Commissioner Ryan, go ahead.

Ryan: Yes, I'm back and I'm on the right item. Mayor, thank you. Colleagues today I'm requesting the council adopt to allow BDS. To apply for a grant that will increase our city's resiliency for a comprehensive building damage assessment after earthquakes. Grants are

available due to 2020 wildfire disaster homeland security through fema, hazardous mitigation grant program. We have dr. Ann casselton here project lead for b.d.s., she will present the amended ordinance. Take it away, dr. Casselton, I assume you are here.

Anne Castleton: I am. I even have my video. So, I want to tell you a little bit why we had to pull it off the consent agenda and why it's amended and a little bit the ordinance itself. I know you have to vote on the amendment and then the ordinance. We had, unfortunately some late breaking guidance from the grants office. And that's why we had to pull it off. The changes aren't substantive, they are just the number. The grant is 75/25 federal funding split. So we do 25% cost share and they offer 75% funding. And so the amount listed needed to not be the total project amount which is 471,855, but the federal amount, which is 352,230. We need today change that in all the documents. In cost share, I want to say our obligation is \$117,964. We plan to meet that with some staffing, donated staffing time and a few donated in-kind resources. We are also advised that all of the documents that will be submitted with the grant and that the mayor needs to sign need to go into one amendment. So that is why you see amended exhibit a. So those are the two changes that cause us to pull it off the consent agenda.

Wheeler: Can I get a motion for amended exhibit a. Commissioner Hardesty has a question first. Commissioner Hardesty?

Hardesty: Thank you, mayor. I'm happy to make a motion to accept the amended version.

Wheeler: We have a motion. Can I get a second?

Ryan: I'll second.

Wheeler: Commissioner Ryan seconds. It's on the table. Commissioner Hardesty?

Hardesty: Thank you. My question is how is this going to be coordinated with the fire marshal and with the inspections that are done with the Portland fire and rescue? What's the vision of putting this project together? Because when I think about resiliency, I think we have the Portland emergency management, as well as Portland fire and rescue, who will play a significant role in mitigating disasters. So have you given any thought to, how does this play into -- what's your expectation of Portland fire and rescue and the fire marshal specifically, as you start this work?

Castleton: Well, I used to work at p.b.e.m. And we are close with fire colleagues. The city has kind of a nominal and old earthquake plan. And I think the plan there is that the very first thing that happens after the earthquake is that Portland fire and rescue, they go to their fire management areas and do what is called a windchill survey. But what happens after that, it's b.d.s.'s responsibility to assess damages in all the commercial and residential buildings. And that has to be done by qualified inspectors. To be qualified you have to be a licensed engineer, licensed architect or licensed building inspector. What we don't have yet, this is a grant application to support us to do, is a plan how b.d.s. Will inspect those buildings both commercial and residential. What is the priority. What are the equity issues in deciding those priorities. What is the criteria? Who is qualified to do it. What do we do when all of those volunteer damage assessors come from all over the country wanting to help. How do we organize that. This is a proposal to really develop a detailed plan of how we are going to do that. We will obviously be working with fire in the part that they do. And this also a move abroad that was just approved by the state legislature to have a state program to qualify inspectors. So one of the objectives of this is to work with a state program as they are developing that. So far we have been playing off what they do in California and what they do in Washington but now Oregon will have its own program. All of these are integrated and part of this proposal also talks about all of the existing plans that the city has and evaluating them and seeing where this interfaces with it, making sure talking to the owners of those plans. So all -- so, really I've done most of the background work on this. And there is, a lot of things going on and a lot of balls in the air, we wanted to let you know we are working with them, especially p.b.e.m., this would help with their --

Hardesty: Resiliency plan. That's really my concern. I mean, you can't develop plans in isolation for recovery from disaster. And my concern is whatever you propose, the fire marshal and fire inspectors will have to play a role in that. And if they are not involved in developing the plan, I am very concerned that we have, I'm on the disaster, the regional disaster policy council. And that's where we try to coordinate regionally around disaster preparedness. I can tell you it's not helpful for us to have individual plans that are not all fed into a master resiliency recovery plan for the city. And so, I have real concerns about putting the cart before the horse. And how you are going to coordinate to make sure this is -- this

cannot be just a b.d.s. Project, this has to be a city of Portland project working with our emergency first responders to make sure we really are doing as comprehensive a plan as possible.

Castleton: That is a really important point, Commissioner Hardesty. And actually, we've got the horse behind the cart in this case, because, I've already written a grant that was funded through the uasi program through rdpo to do this regionally in the five-county area. We had hoped before covid most of this work would have been done and we could share it out and do it more regionally, but it wasn't done because of covid. So I have the money already from the five-county regional program. And this really supports that and does the Portland city piece and makes sure it's coordinated and fits in and shares some of the things frankly we as a city have the bandwidth to develop that some of the counties or smaller municipalities don't. So this has a large piece of it which supports the region and supports the state as they get more prepared themselves. So I understand your concern about just running off and doing things on our own. But really, i'm pretty closely tied in with p.b.e.m. And r.d.p.o. In my previous life when I worked internationally it was the biggest mistake every bureau did, doing their own thing and not consulting everybody else. So I hear you on that.

Hardesty: I don't want my fire inspectors to be required to do so they have had no input into developing. It's important that this is an inclusive process, b.d.s. Can lead but it cannot do it on its own. So I need some assurance you are going to coordinate with all the bureaus who have responsibility for our recovery from disaster.

Castleton: With six, with all the other existing plans and make sure this fits I have objective 8 about outreach and stakeholders. So for each of the objectives we have identified who are the other stakeholders, who needs to be involved in both the decision making and in -- and public outreach at some point.

Hardesty: Your challenge will be you have three Commissioners and a mayor that are pieces of this system. If we aren't thinking holistically of developing a plan for recovery, I'm just concerned it's not well, this is the first I'm hearing about it. So maybe other officers have had more interaction around this. I just know if the pieces don't fit, we are going to be working across purposes in the next disaster.

Castleton: This is about applying for the grant. It's not -- we haven't received the money yet.

Hardesty: I want to know what you are going to do when you get it and make sure you haven't committed us to doing things, especially with the fire inspectors and the fire marshals.

Castleton: That is detailed in excruciating detail in exhibit a. Commissioner, I am really excited about this project. It's my last thing I intend to do before I retire. And I would love to talk to any of the Commissioners about it. And of course, because I'm part of the emergency management steering committee in the whole city, I am working with all the other emergency managers. But I would love to talk to you about it.

Hardesty: I would love to have further conversations. Thank you for clarifying my concerns. Of course we have to plan to be prepared for disaster. We have to be intentional. One of the things I love about this region is in a disaster the region comes together. It's not just the city of Portland, but we work cooperatively in the entire region, which the wildfires last year clearly reflected that. And so, I guess that's all my questions at the moment. I look forward to seeing this application developed. But caution it has to fit into the broader resiliency recovery plan the city of Portland is working on.

Castleton: Yes. I'm part of that recovery group also. This is response, it's not recovery, but they need to lead into the other one.

Hardesty: That's right. They all have to fit together and everybody's got to know their part. Thank you.

Wheeler: Thank you, Commissioner Hardesty. That's good discussion, so thanks for raising that. So, just to review, we do have an amendment on the table. It was moved by Commissioner Hardesty, it was seconded by Commissioner Ryan. Is there any further discussion to the amendment? Let's call the roll on the amendment, keelan?

Clerk: Hardesty?

Hardesty: Aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: Aye.

Clerk: Ryan?

Ryan: Aye.

Clerk: Wheeler?

Wheeler: Aye. The amendment is adopted and before legal counsel puts me in jail, has anyone signed up for public testimony, I'm assuming no given this was pulled off the consent agenda.

Clerk: No one signed up.

Wheeler: Thank you. Any objection to the maple motion? Seeing none, please call the roll on the emergency ordinance as amended.

Clerk: Hardesty?

Hardesty: The most important is to be forward thinking when we recover for the next disaster. It's not if, it's when, it will come. I look forward to the application, and thoughtfulness which we will incorporate it in our overall resiliency planning for the city. I'm happy to vote aye.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: Aye.

Clerk: Ryan?

Ryan: Thank you for being here and that was a great dialogue between you and Commissioner Hardesty and also getting to the details of objective 6 and 8. To apply for the resources we desperately need to get this party started and I vote aye.

Clerk: Wheeler.

Wheeler: I want to thank you, Anne and Commissioner Ryan. And yes, again, Commissioner Hardesty, that was a great question you raised and I appreciated the discussion.

Commissioner Mapps, did you have a point of order?

Mapps: Yeah, I have a quick question for Commissioner Ryan or staff, this originally was on emergency item, how time sensitive it is. If it is time sensitive I would be happy to entertain a motion to make this an emergency ordinance and their teams can move forward. I'm not sure what the mechanics are.

Wheeler: The vote has already been called.

Hardesty: Oh, that's right.

Wheeler: Therefore --

Mapps: That's fine.

Wheeler: The horse has left the barn on this one. [chuckles] but I heard Anne say she would entertain thorough conversations with the public safety bureaus, bureau of emergency communications and you as the Commissioner in charge. I would look forward to that conversation as well. I vote aye. The ordinance is adopted as amended. And that concludes our business for this morning. Colleagues, we are adjourned until 2: 00 p.m.

At 11:37 am, Council recessed.

Closed caption file of Portland City Council meeting

This file was produced through the closed captioning process for the televised city council broadcast and should not be considered a verbatim transcript. The official vote counts for council action are provided in the official minutes.

September 29, 2021

At 2:00 p.m., Council reconvened.

Clerk: Good afternoon mayor, good afternoon commissioners. [Roll called]

Wheeler: Under Portland city code and state law all are attending via tele conference. Multiple ways to listen to the audio broadcast of this meeting. The council is taking these steps as a result of the covid 19 pandemic and need to limit in person contact and to promote physical distancing. The pandemic is a threat that threatens the health and safety and requires us to meet through electronic communications. Thank you for your patience while we attempt to discuss the city's business.

Ken McGair: To participate in council meetings you may sign up for communications to briefly speak about any subject. You may sign up for public testimony on first readings and ordinances. Information about how and when you may sign up for testimony while holding electronic meetings. Your testimony should address the matter being addressed at the time. State your name for the record. Your address is not necessary. Please disclose if you are a lobbyist. The presiding officer determines the length of testimony. Individuals generally have three minutes to testify unless otherwise stated. Disruptive conduct such as shouting, refusing to conclude, a warning will be given that further disruption.

Wheeler: This is a non-emergency ordinance.

Rubio: I'd like to introduce this item to amend the code to the residential franchise to allow these special item collections. The City of Portland is the regulatory authority for recycling and composting. It's through our city code that the framework for these services are regulated and managed to ensure safe and environmentally preferential operations for our

communities. In addition a clear commitment to increase opportunities for black indigenous. I want to take a moment to acknowledge that the city experiences challenges with illegal dumping and focusing on solutions to update those needs. This code is making sure it's within our commitment for waste needs. Developing new services and opportunities to advance our waste equity goals. As a point of emphasis the city is committed to better meet the needs in multifamily residences in apartment complexes and condos. I would like to turn your attention to bps staff and field to deliver a presentation to amend this code and an overview of the ordinance we'll be hearing today in this first reading. Thank you.

Donnie Oliveira: Thank you, commissioner. Before my colleague Pete walks through the code package, I wanted to help frame this in our time and where we're at especially the region. The waste plan that supported the larger evolution of where recycling, general composting, and recycling goes. As well as bps's own interest. Single family we're going to talk about specifically and multifamily and those that are houseless. There's are those that need solutions effective immediately but at this time we're addressing single family homes and junk services. The last thing I'll add is this whole system is a moment of change in the future. How this material that goes into our bins, how it turns into new projects. Those are exciting opportunities that we're looking forward to sharing with you guys. This is a small portion.

Pete Chism-Winfield: This system granted exclusive routes to franchises. Exceptions were included in the orange adoption including allowing residents to take garbage to transfer stations and yard work debris to haul materials away after their work was done. The system has evolved to include food waste and mixed recycling, bottle, and container plastic. We recognize our residents have and continue to seek solutions for their disposal needs. This is junk removal companies, subscription services that offers options for items that would otherwise be hard to recycle. These services provided in response to system changes to amend the city code within the city waste system for single family residents. The project was initiated and responses varied from ceasing services to formalizing them. We sought guidance from the state on whether these services should be allowed. We verified that these materials were being properly recycled. Engagement included Portland haulers association, the work group for the report included in the council packet. I want to take a moment to

thank the folks at the equity work group whose efforts decided to recognize canners in Portland. The waste equity advisory group and companies that provide junk removal and special items collection. Junk removal services are currently unregulated in Portland. Furniture, appliances, and other junk. The difference is employees will manually remove these items from their property rather than from the curb. It's a doorstep service for items for reuse, batteries, textiles, and light bulbs. For sorting reasons, they cannot be included in the blue cart. The items collected through these services do have drop off locations for reuse and recycling. Special item collections are for Portlanders who would like a save a trip. The responsibility policies have provided many locations. These services are optional. The amount of material collected through special items that if they aren't recycled are estimated at 600 times annually or point zero zero zero six percent of the Portland waste system. Bottle bill containers. Currently the city does not recognize canners. It's an important source of supplemental income for many Portlanders. We want to recognize that in the code and allow it to happen. Why are we doing this now? As the authority of solid waste collection, the city needs to cease these services or recognize them as a franchise in the code. These maintain the same services. By continuing to make these services an exception we will not see a difference across the board. To amend the code and allow for additional exceptions recognizes practices and services for hire and opens opportunity for small business to compete in the marketplace. This will create negligible impacts, potentially raise cost. I want to spend a little time addressing equity in our waste system. Bps continues to address inequities in the solid waste system through our public trash can, recycling owned services and bulky waste collection. These inequities exist in two main forms. The ownership and management in the companies providing these services. Two, Portlanders receiving services. Bps is committed to continually prioritize the greater amount of material and larger economic opportunity and improve services to multifamily residents by focusing less attention to build our residential collection system and recruiting services provided to multifamily tenants, there's a greater win win in terms of greater impact. A waste equity advisory group. We'll be working with them to address inequities in other areas in the solid waste system. Thank you council. Bps staff recommend passing the exceptions to the franchise so we may continue to work on bigger impacts to the system. That's it.

Wheeler: Thank you for the presentation. I wasn't sure why we would need to seize operations given that we've been doing this without a specific operating code for some time. What's the urgency?

Oliveira: Thank you for the question. Once the homeowner's association flagged this new service with us. It triggered us to ensure we're in compliance or not.

Mapps: Thank you for the very concise overview about what this package is about. Can legacy haulers, the folks that pick up our trash, if they want to get into the business of batteries and everything else, can they do that?

Chism-Winfield: Yes. It allows for franchisees to provide the service.

Wheeler: Any public testimony on this public service.

Clerk: We do. We have six people.

Wheeler: All right. Three minutes each.

Megan Bulger: Hi. My name is Megan. I have been using ridwell. I lived in Seattle before this, I was part of a rid well -- it started from a kid going around to neighbors and collecting light bulb and styrofoam -- I told everybody about the ridwell site. They have come to Portland and I have all my neighbors on board. Everybody loves it. They were doing bags and back packs. I found an unrealistic amount of bags and back packs that we weren't using. They help me recycle things I didn't know were recyclable. Threads, I have recycled an unbelievable amount of things thanks to them. It's so easy, my daughter helps me. So many posts of people asking things like I have all these plastic clam shells. Every single time somebody would say nope. Now I can respond and say rid well takes them. We pulled together to make a big bag of Styrofoam. After Christmas we have so much stuff. I have been thrilled with the rid well service. It's all the stuff I want to recycle that I can't put in my curbside bin. They are an awesome addition to help us make a bigger impact.

Wheeler: Awesome. Thank you.

Clerk: Next up --

Hardesty: I couldn't let Megan leave without mentioning that I live in an apartment. My heart is in it and I can't throw it away, I just don't have time to do it. Thank you for your organizing effort to bring this opportunity here to Portland. Thank you for the job you are doing to help

us save the planet. We only have one. I would encourage you to talk to this company and say what are you going to do for the rest of us. Those that live in an apartment.

William M. Musser IV: Good afternoon. Thank you for your time and consideration. My family and I have been in Portland for just over two years now. My current responsibility is being a home maker and stay at home dad. I spend a considerable amount of time as a volunteer and climate change advocate. Local, regionally, and nationally. My time includes time in the financial and solar industries. We've been impressed with the city's sustainability commitments. I'm an ardent supporter of rid well and businesses that are innovative and provide market solutions and run a successful business model with a noble mission to address some of our challenges in our society. The urgency for reuse and recycling. Materials that have a negative environmental health impact across our entire ecosystem. The ordinance will ensure materials not within the program can continue to move more easily and efficiently from a trip miles transportation perspective be collected, reused, and recycled to help the whole city of Portland pursue the broad sustainability goals. Rid well identified a community need in Seattle and came here to Portland. I'm helping them enter another market in Denver where we use today live. Rid well's service of picking up items on a rotating basis specifically for the benefit is of tremendous value for sufficiency and economies. This provides a valued and innovative business. It would not impact or harm current garbage or recycling haulers in any way. Failing to pass this ordinance would jeopardize an innovative circular economy. Lastly, it would reduce the trip miles by citizens from going all over the place to collection sites within the city of Portland which is in direct conflict with the city's sustainability goals.

John Ashcraft: I'm John, the receiving manager of free geek. We recycle electronics and portables and corps this year ridwell has collected on our behalf small electronics which includes over a thousand laptops and phones, they'll be bringing us holiday lights, cords, chargers. We see a lot of value and efficiency. Specifically their doorstep pick up. They are reaching house holes in devices that lack time and transportation they are also able to do the -- these small devices as you can imagine are more likely to age beyond their useful life within someone's junk drawer, more often in some neighborhoods, cell phones, and laptops so we can get those refurbished and into the hands of the community sooner rather than later. Thank you so much to rid well for your support.

Wheeler: Colleagues, I want to let you know that I'm going to turn the gavel over to commissioner Ryan, I'll be listening but I'll be in transit.

Jackie Kirouac-Fram: Thank you. Good afternoon. Thank you for taking the time to hear about this important issue. I'm the executive director at the rebuilding center. It's an organization whose entire mission is to work to make reuse and repair accessible and affordable for all. Working with homeowners and renters most at risk for displacement. We've worked with Ridwell for the past year. They did a tool drive. We were able to put tools back into the circulation and in the hands of people using them currently. They were able to collect the tools and the way they came to us. They did a fantastic job of packaging and organizing the tools that made it easy to get them back in the community. Along with Ridwell, we work with the junk haulers that would be impacted by any sort of ceases of services. They allow us to go through to see if there's any reusable material before they go to the waste station. To ensure these types of services exist will work to ensure they can be reused across the nation. The ability to provide people a convenient means of making sure their materials which so often have a life. I support the code amendment and look forward to partnering with these organizations in the future. Thank you.

Taylor Loewen: Thank you for the opportunity to speak today. I'm a north Portland resident and general manager for Ridwell for the Portland metro area. I'm testifying in support of BPS's update to the recycling code. Our services now helping over 10,000 Portland households reducing waste getting to the landfills. Teachers in underfunded schools to children without enough books to read. Putting essential items in the hands of people who need them. Representatives have written a testimony. We hope you take their thoughts into consideration. There are several benefits. First, helping households waste less. Facilitating reuse. Making it easier for projects to get access to critical items that they desperately need. Finally, to ensure that new services can continue to operate there are good reasons these are not a part of curbside pick up today. They can -- it's our hope these challenges will be solved. Until that time, the proposed exception ensures services like ours will help reduce the amount of services that will go to a landfill. There's zero overlap and those provided by haulers. Services like ours are beneficial. Keeping batteries and light bulbs from the trash bin keeps tallers safe.

The proposed code update will help ensure this happens. Thank you for your time. I'm happy to answer any questions you may have.

Kari McCullough: Hello mayor wheeler, Kari McCullough. Every franchise hauler is a member of the PHA. Sun set garbage collections, whacker sanitary, my own family business, walker garbage service. We're passionate about keeping things out of the land fill. I'm proud of the fact that my family sat at the table writing the very first set of recycling rules for the city of Portland and won an award for retro fitting the garbage truck to be the first recycle truck. We're with you. We get it. We're on the same page there. Commissioner Rubio, thank you for meeting with us last week about this preposed code change today. We were concerned about the timelines, we want more collaborative policy process. PHA gave a presentation of the staff saying just that. We would like these things in our franchise system. I want to make just one quick clarification. A frustrating narrative is we won't pick up certain items when in reality, we cannot change the program. We would also need a code change for us to get into this business as well. This is something -- can we slow down the process. I won't bring up all the values. These are for the robust process that will happen in the future. We certainly would like to be part of the process. We want to be part of the future process.

Mapps: Thank you so much for your testimony. Thank you for helping bring recycling for Portland. I'm not sure if this question is for you or staff but asking for clarification. I question -- I'm trying to figure out how to reconcile these two ordinance changes.

Oliveira: Creating a subscription or doorstep service that could be accessible to anybody in the city.

Mapps: Does that require a change in ordinance?

Oliveira: To add the materials to the franchise, yes.

McCullough: That's our position. We would like to add it to the franchise so it's available to every citizen of the city of Portland.

Mapps: This new wave of recycling sounds great. I would like to bring it to every household and look forward to watching that discussion resolve and support recycling here in Portland. Thank you.

Hardesty: Thank you Commissioner Rubio and bureau of planning and sustainability. I want spend a little time talking about the change of code that I believe and want to confirm makes makes it easier to for a houseless community member to collect cans. Is that correct?

Oliveira: Correct, commissioner.

Hardesty: Innovation is what has made Oregon. There's a lot of inequities built into our current waste collection process between homeowners and renters. I won't go into the long detailed list in this meeting because it's not pertinent. I'll say we can't do it all in one swoop. This is good positive movement forward. We should work with the haulers to bring them on board to create a competitive service as well that homeowners will want to purchase. I hope everybody will figure out how to bring renters in a -- I'm appreciate active of this work being done. I'm happy to see the work move forward. I feel good about where we were. There's always room for improvement. I look forward to the haulers coming back and providing some competition. Isn't that what business is all about. Thank you commissioner rubio for the incredible work. Thank you to the bureau of planning and sustainability.

Ryan: Thanks for those who testified.

Rubio: Thank you for your comments, they are very well taken. Thank you for the questions. It's important that we understand all the nuances here. I wanted to simply take the opportunity to reconvey what I said earlier so folks can be really clear. Next year we'll be taking a holistic look into this code. We do look forward to work withing the haulers association and other stake holders as well. My hope is that all our stake holders do participate.

Wheeler: This is a step forward in the right direction. I applaud you for bringing us to this point. I'm encouraged by the conversation. I appreciate the comments commissioner Hardesty made around recycling. I think it's the right thing to do for equity reasons. It's a right thing to do from a waste stream reduction perspective. Taking a big picture look - I would enthusiastically support that. I just want to acknowledge that.

Ryan: This is a non-emergency ordinance. If there are no further questions, we can move this to a second meeting. This meeting is now adjourned. Bye.

At 2:46 pm, Council adjourned.