



December 8, 2021 Council Agenda

5638

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 may 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.

Wednesday, December 8, 2021 9:30 am

Session Status: Adjourned

Council in Attendance: Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Mayor Wheeler presided.

Officers in attendance: Linly Rees, Chief Deputy City Attorney; Keelan McClymont, Council Clerk

Items 862, 863, and 866 were pulled from the Consent Agenda and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

Council adjourned at 11:47 a.m.

Communications

854

[Request of Pete Colt to address Council regarding equity in inner NW Portland and government efficiencies](#)
(Communication)

Document number: 854-2021

Disposition: Placed on File

855

[Request of Amber Canavan to address Council regarding support for banning the sale of fur products and foie gras](#) (Communication)

Document number: 855-2021

Disposition: Placed on File

856

[Request of Connie Schwendemann to address Council regarding City policies, procedures and protocols regarding street trees](#) (Communication)

Document number: 856-2021

Disposition: Placed on File

857

[Request of Richard Peterson to address Council regarding City policies, procedures and protocols regarding street trees](#) (Communication)

Document number: 857-2021

Disposition: Placed on File

858

[Request of Stef Avery to address Council regarding proposed Fernhill Park and Portland Public Schools Safe Rest Village](#) (Communication)

Document number: 858-2021

Disposition: Placed on File

Time Certain

859

[Accept the City of Portland Annual Comprehensive Financial Report and corresponding audit for fiscal year ended June 30, 2021](#) (Report)

Document number: 859-2021

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance; Revenue and Financial Services

Time certain: 9:45 am

Time requested: 1 hour

Disposition: Accepted

Motion to accept the report: Moved by Ryan and seconded by Hardesty.

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

Consent Agenda

860

[*Accept the FY 2021 Department of Homeland Security Urban Areas Security Initiative grant in the amount of \\$3,394,839 from the Oregon Department of Emergency Management to enhance emergency preparedness through planning, training, and equipping of emergency responders in the Portland Urban Area](#) (Emergency Ordinance)

Document number: 190621

Introduced by: Mayor Ted Wheeler

Bureau: Emergency Management

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

861

[Accept and appropriate a grant in the amount of \\$448,903 from the Oregon Office of Emergency Management, Emergency Management Performance Grant Program to administer an integrated all-hazard emergency management program](#) (Ordinance)

Document number: 190622

Introduced by: Mayor Ted Wheeler

Bureau: Emergency Management

Second reading agenda item 835.

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

862

[*Create a new nonrepresented classification of Director of Police Education and Training, which is exempt from classified service, and establish a compensation range](#) (Emergency Ordinance)

Document number: 190645

Introduced by: Mayor Ted Wheeler

Bureau: Human Resources; Management and Finance

Item 862 was pulled from Consent Agenda for discussion.

Disposition: Passed to second reading as amended

Motion to remove the emergency clause: Moved by Wheeler and seconded by Hardesty. (Y-5)

Passed to second reading December 15, 2021 at 9:30 a.m. as amended.

863

[*Pay settlement of Lori Offenback property damage claim for the sum of \\$6,275 involving Portland Parks & Recreation](#) (Emergency Ordinance)

Document number: 190629

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance; Revenue and Financial Services; Risk Management

Item 863 was pulled from Consent Agenda for discussion.

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

864

[Authorize Intergovernmental Agreement with Metro to provide Portland's funding for the Arlene Schnitzer Concert Hall Sewer Reconnection Project not to exceed \\$150,000](#) (Ordinance)

Document number: 190634

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance

Disposition: Passed to second reading

Passed to second reading December 15, 2021 at 9:30 a.m.

865

[Assess property for system development charge contracts, private plumbing loan contracts, and safety net loan deferral contracts \(Z0848, K0190, T0207, W0076, Z1211, K0191, T0208, Z0849, W0077, P0169, P0170\)](#) (Ordinance)

Document number: 190623

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance; Revenue; Revenue and Financial Services

Second reading agenda item 840.

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

866

[*Accept a grant in the amount of \\$400,000 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance and appropriate \\$220,797 for the FY 2021 Intellectual Property Enforcement Program Competitive Grant to address intellectual property criminal enforcement](#) (Emergency Ordinance)

Document number: 190630

Introduced by: Mayor Ted Wheeler

Bureau: Police

Item 866 was pulled from Consent Agenda for discussion.

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

867

[*Accept and appropriate grant in the amount of \\$75,000 from the Oregon Department of Land Conservation and Development to support work to update the Housing Needs Analysis.](#)(Emergency Ordinance)

Document number: 190624

Introduced by: Commissioner Carmen Rubio

Bureau: Planning and Sustainability

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Yea
Commissioner Dan Ryan Yea
Commissioner Jo Ann Hardesty Yea
Mayor Ted Wheeler Yea

868

[Amend Portland Renter Additional Protections Code to make technical changes to clarify Portland Housing Bureau rulemaking authority.\(amend Code Section 30.01.085\)](#) (Ordinance)

Document number: 190625

Introduced by: Commissioner Dan Ryan

Bureau: Housing Bureau

Second reading agenda item 844.

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Yea
Commissioner Dan Ryan Yea
Commissioner Jo Ann Hardesty Yea
Mayor Ted Wheeler Yea

869

[*Authorize Intergovernmental Agreement with the Oregon Department of Transportation for right-of-way services for the Jade and Montavilla Multimodal Improvements Project](#) (Emergency Ordinance)

Document number: 190626

Introduced by: Commissioner Jo Ann Hardesty

Bureau: Transportation

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Yea
Commissioner Dan Ryan Yea
Commissioner Jo Ann Hardesty Yea
Mayor Ted Wheeler Yea

870

[Amend Regulation of Lobbying Entities Code to update City director definition and replace gender-specific language \(amend Code Section 2.12.020\)](#) (Ordinance)

Document number: 190644

Introduced by: Auditor Mary Hull Caballero

Bureau: City of Portland Elections Office

Disposition: Passed to second reading

Passed to second reading December 15, 2021 at 9:30 a.m.

Regular Agenda

871

[Accept and appropriate grant in the amount of \\$9,351 and authorize Intergovernmental Agreement with Oregon Department of Transportation for the 2022 Motor Carrier Safety Assistance Plan for commercial motor vehicle inspections by Police Bureau sworn personnel](#) (Ordinance)

Document number: 190627

Introduced by: Mayor Ted Wheeler

Bureau: Police

Second reading agenda item 847.

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea
Commissioner Carmen Rubio Yea
Commissioner Dan Ryan Yea
Commissioner Jo Ann Hardesty Yea
Mayor Ted Wheeler Yea

872

[Authorize a competitive solicitation and contract with the lowest responsible bidder for construction of the Stark Trunk Relief Structure Project No. E11009 for an estimated cost of \\$2,400,000](#) (Ordinance)

Document number: 190646

Introduced by: Commissioner Mingus Mapps

Bureau: Environmental Services

Time requested: 10 minutes

Disposition: Passed to second reading

Passed to second reading December 15, 2021 at 9:30 a.m.

873

[Authorize a competitive solicitation and contract with the lowest responsible bidder for construction of the City-wide Sump Replacement Project No. E11155 for an estimated cost of \\$1,458,600 \(Ordinance\)](#)

Document number: 190647

Introduced by: Commissioner Mingus Mapps

Bureau: Environmental Services

Time requested: 10 minutes

Previous agenda item 803.

Disposition: Passed to second reading

Passed to second reading December 15, 2021 at 9:30 a.m.

874

[*Authorize the Bureau of Transportation to acquire certain permanent and temporary rights necessary for construction of the NE Halsey Bike/Ped/Transit Improvement Project through the exercise of the City's Eminent Domain Authority \(Emergency Ordinance\)](#)

Document number: 190628

Introduced by: Commissioner Jo Ann Hardesty

Bureau: Transportation

Time requested: 15 minutes

Disposition: Passed

Votes: Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

Wednesday, December 8, 2021 2:00 pm

Session Status: No meeting due to lack of agenda

Thursday, December 9, 2021 2:00 pm

Session Status: No meeting due to lack of agenda

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.

Key: ***** means unidentified speaker.

December 8, 2021

9:30 a.m.

Wheeler: > welcome to the Portland city council. Please call roll [calling roll].

Wheeler: City council is holding this meeting electronically. Members are attending via video conference and the city made several avenues available to listen to this meeting. Public may e-mail the city council and council is taking steps as a result of the covid-19 pandemic we need to limit person to person contact and requires us to meet remotely. Thank you for your patience, flexibility and understandings to this situation. And with that we'll hear are our counsel.

Linly Rees: To participate you may sign up for public testimony on resolution, reports for first readings and ordinances, publish agenda at www.Portland.gov/council/agenda contains information about how and when you may sign up for testimony. Testimony should address the matter being addressed at the time. Your address is not necessary. Disclose if you're a lobbyist. If representing an organization, identify. Individuals have three minutes unless otherwise stated. When time up, presiding officer will ask you to conclude, disruptive conduct, shouting, refusing to conclude your testimony or refusing to conclude your testimony or interruptions will not allowed. Be aware all meetings are reported. Thank you.

Wheeler: Thank you. First up is communications. First individual, item 854.

Clerk: Request to address council regarding equity and government efficiencies. Didn't look like pete joined us yet.

Wheeler: Very good. Next.

Clerk: Request of amber canavan to address regarding support for panning the sale of fur products and foie gras.

Wheeler: Good morning.

Amber Canavan: Hello. Thank you. Thank you for your time today. I'm a Portland resident and here today as a lobbyist in support of a fur sale ban. Let me remind everyone the issues we're talking about fur industry is disruptive to the environment. Most are kept in fur farms, animals are kept in factory farm conditions. These are still genetically wild animals who have large territories in the wild. [inaudible]. Sorry about that. Usually keep to themselves in nature but in cramped conditions of these farms, they'll resort to cannibalism, and mink are typically killed in gas chambers or snapping their necks, and foxes and chinchillas killed by genetic, sorry, by again tall or anal electrocution and their fur sold off as unnecessary fashion and luxury products. It harms the environment through water pollution and use of heavy metals for their pelts. There is an excellent documentary called "the farm in my backyard" I hope city council will take about four minutes to watch. It's available online and Portland has been a leader that sets an example for others in our state and beyond. When it comes to animals I feel we're woefully behind. San Francisco, New York, Chicago have all horrible crime, and homelessness issues and livability issues yet that didn't let them stop them from being leaders in animal rights legislation, the ban based on language that passed muster in cities across the country. We have a vision tailored just for Portland city and ready to go. I hope city council will listen and take action on this longstanding issue. Please. Find time in the agenda to introduce a fur sale ban in the coming new year as well as potential foie gras sale ban.

Wheeler: Thank you, thank you for being here.

Wheeler: Keelan did Pete show up yet?

Clerk: No. Not yet.

Wheeler: We'll go to next individual, please, 856.

Clerk: Request of Connie Schwendeman to address council regarding city policies, procedures and protocols regarding street trees.

Wheeler: Good morning.

Clerk: Richard, can you hear me?

Connie Schwendemann: I think I'm muted.

Clerk: Connie. Are you and Richard sharing a connection?

Schwendemann: Yes.

Clerk: Okay.

Schwendemann: Good morning, my name is Connie Schwendemann on behalf of street trees in Portland making individual property owners with trees on city parking strips responsible for tree removals. This is a long history of street tree removal in the city and another example of decreased services with increased taxation. We have two old trees we are taken care of through ice storms, inoculations and repairs. A pruning of a large tree is more than a thousand dollars today and pruning is a recurring event. Had a month our dead elm tree is being removed as a cost of \$13,750. It's been an expensive month to live in Portland the trend of bundling of city services with month end in sight and the city has left property owners with street trees, with responsibilities of paying costs of tree removal. Policies don't give incentive to new people to want to plant new street trees. If about you remodel your home you have to plant a street tree or face additional fees, fines and liens on the property. The city controls this easement and just doesn't want responsibility with it. There is no shortage of city personnel overseeing these policies. I couldn't find anywhere on the urban forestry website that says property owners are responsible for planting, maintenance and removal of street trees, transparency isn't part of the process. And we all love our trees and there are benefits. However, trees are big responsibility and can be a liability. They require tending, can disrupt power service, get into sewer lines, damage sidewalks and other infrastructure, proper maintenance to keep trees healthy comes at a cost. And urban forestry is suddenly interested now that our tree dead, issuing directives is what urban forestry means by working with citizens. The city doesn't classify its trees as capital. Yet likes to brag about the canopy of about 26% of Portland's land area and talks about the importance of trees to our city. If truly valuable, I remind council, actions speak louder than words, support citizens who are now on the hook to pay for the removal of our city's aging tree canopy. This year, the city has a surplus of funds. Could a small portion be allocated to remove dead trees? Surely, trees are a shared benefit and should be a shared responsibility.

Wheeler: Thank you, connie. We appreciate you being here today and i'm sorry you had to shoulder that much responsibility. Thank you for putting this in front of the council. Next individual.

Clerk: Request of richard peterson to address council regarding city policies, procedures and protocols regarding treat trees.

Richard Peterson: Good morning i oppose the rode yours of the urban forestry department within the structure relating to maintenance removal of trees, street trees. I'll discuss six policies and procedures in not keeping with the city that works. Number one, lack of and poor communication. Why doesn't the city send a written communication when the policy was changed lee years ago? Important changes in policy should be communicated to those affected by the change. What elm trees sea beetles invaded you are area, we contacted the does i with no reply when we sent a letter this year, including sampled beetles for study we receive nod acknowledgement or reply from the elm tree monitoring team. No follow up. No follow through. Communications with other than two written in theses that we are attached were strictly via e-mail with had personal calls or visits. And a simple call or visit can prevent miscommunication and misunderstanding. Second point is infection permit fee. And our case, what unusual because we've reported change in our tree health to the city and were told that there was \$100 fee to pay in order for them to come and look at the tree should we have to fill out a form and pay \$100 to do the city's job number three, written notice. Notice of violation received made the homeowners at the site culpable of having caused or contributed the death of the tree. Having been good stew yards we took this as adding insult to injury. The language offensive and it is a lie. Dead lines, fees, subsequent enforcements, and were there enumerated. Four fairness, concept of requiring full pay for benefits shared by the all oppressing. Are burden those with homes mere trees? With yet another responsibility? No accommodation has been made to help citizens with large, old trees, many are multiple trees and many just can't afford to pay high costs of removing trees. Where is the help for there? For them? Five is lack of a plan. There is had period of transition, no grand father clause, no rebate no, property tax reductions, little incentive for those paying for trees removal, maintenance or planting. Transparency number six. When free trees are offered we ask that the citizens be notified of responsibilities involved since Portland compares with other cities

when processing fees and taxes why not look at street tree policies in other cities like milwaukee and salem? Who maintain their trees with taxpayer sharing the burden. This is a about more than money. It's about responsible governing, fairness and liveability in the city. Let's give our city the works not the city that shows. Thank you.

Wheeler: Thank you appreciate your testimony. Keelan, did someone is unmuted that if everybody not talking, it's just helps the large number of people on. Commissioner hardesty, then commissioner rubio.

Hardesty: Thank you, mayor. I was going to ask richard what the policy was prior to three years ago? It's, the way you and your partner described it went what to now is the homeowner's responsibility? I'm just curious. Richard you're on mute you just remuted your self is, richard.

Peterson: Okay.

Hardesty: There we are.

Schwendemann: They took care of it.

Peterson: The city took care of it. As far as removals. And maintenance, they were involved with it.

Hardesty: See, i owned a house on 15th. They had a tree on the street that was tearing up the sidewalk. And i was told, that was my responsibility. So i don't know if it's ever been, it depends on where the tree is on the property. So, i don't know if that an accurate statement the city took care of it.

Peterson: Well, sorry to interrupt. We certainly have replaced sidewalk. That was, as always been a case for a long time. We had to work around the tree in order to do that. We had to raise the sidewalk and change the stairs going into and up to the house. So but, as far as tree removal, damaged tree repair, that was not our responsibility.

Hardesty: That hasn't been my experience. I was just curious. I'll look it up. I thought something major must have happened lee years ago. As a former homeowner i can just tell you that was not my experience. The city sent me a bill and i had to do it. So thank you. I appreciate your testimony.

Wheeler: Thank you.

Wheeler: Commissioner rubio?

Rubio: Yes. First i just want to thank connie and richard for the time they took this morning to share their experiences, and, i, too, will do digging in and look at the history on this. From what i do know, urban forestry has been, as you know, parks has been challenged with operating funds for quite, many, many years and so, we're now in a position where urban forestry is getting ready to be more know proactive on tree policy and programs connected to that. So i will look to them and talk to them about what that means for this particular issue. But, i would love to follow up with you and have my staff connect with you off line once we do in digging and learn information. So thank you, again, for coming forward.

Peterson: Thank you. We have another 100 year old tree on city property as well.

Wheeler: Good conversation. Did pete show is up?

Clerk: No. Hot yet.

Wheeler: Okay. We'll move to consent agenda.

Clerk: Wait a minute, we have one more communication, 858.

Clerk: They did cancel but i should read the title.

Wheeler: To ahead.

Clerk: A request of steph avery to address council regarding fern hill park and person did ask cancelled.

Wheeler: Have items been pulled?.

Clerk: 862, 863 and 866 have been pulled.

Wheeler: We'll take note those out. Call role on remainder of consent agenda.

[Roll called]

Wheeler: Consent agenda is adopted. Next up is our first time-certain item please, number 859.

Clerk: Accept city of Portland comprehensive annual report and responding audit for fiscal year ended june 30, 2021.

Wheeler: Colleagues annual comprehensive financial report comprises actual audited financial results of the city's operations, and provides information related to the city's overall financial health. The financial report is reaped by the bureau of revenue and financial services and audited by the firm of moss adams, llp. Today we'll hear from city controller, ron lott and accounting supervisor ashley tuttle about the fiscal year 2021 report operation and learn

about results of the audit from audit partner, amanda moore and senior manager teeth simovik. Then, our chief financial officer michelle kirby will provide an overview of the city's financial health.

Ron Vaught: Good morning we have a slide deck. Joining us is michelle kirby, chief financial officer, director of the bureau of revenue services and ashley tuttle accounting and grants management division.

Wheeler: Could you do us a favor where before you start off, people may in the be family with the role you play. What does the controller do?

Vaught: I'm the manager in charge of the division and so, i'm family with sheila and grants management team and she reports to me. Accounting sections and systems and training, and then, operations which is the group that pays the bills. We work with sap quite a bit and interface with the team there to take care of master data and postings and created everything needed by bureaus to get management accounting they need to do reporting that is necessary to track how we spend our money. It's fascinating to me. I think most people would go to sleep.

Wheeler: It doesn't get attention and the fact we haven't heard anything always good news. I see what you doing is being critical to financial operations to the city and core of our oversight and accountability. I'll let you make your presentation.

Vaught: Thank you. He it's fascinating work and besides michelle and ashley we have amanda our auditor and keith was the one we he interfaced with cure during the course of the audit. Next slide, please. Today we're presenting the annual financial report for fiscal year ended june 30, 2021, and will be discussing highlights and trends and presenting additional information regarding the financial going. Next slide, please. This getting into information relevant to us really, i think it was a nice move that was made to try to be better citizens for the world. Standards announcing a term comprehensive with annual financial report for states and governments. A charge in terminology raised that the common pronunciation for acronym of comprehensive annual financial report sounds like a profoundly objectionable racial slur and a deeply controversial meaning in arabic for those who practice is slam. This change is effective for this year and recommended we immediately implement had new name in statement 98 and start using the term ak-fer. The old acronym sounds like the same

as a derogatory used in other parts of the world. Most concerningly, south africa where the term has ties to apartheid and used as a racial slur towards black south africans. Dfoa believes it's the responsibility towards thoughtful and responsible global citizens, next slide, please. Now, i'll turn it over to ashley tuttle to tell but the report to you, ron.

Ashley Tuttle: Good morning mayor my name is ashley tuttle and copies will be printed and delivered to your offices in had the following weeks. Preparation is an extensive fro project, requiring a group effort to make it a success. And involvement needed from all bureaus and our auditors to ensure timely completion. The accounting division of the bureau of revenue is responsible for preparing their report, and working with auditors through the process. Next slide. Now we'll look at highlights, first, i'd like to point the city pin continues to publish the annual report within four months of the fiscal year end, ensuring it is relevant and useful for decision making. To news is that the city found no material weaknesses in accounting practices and the report complies with state law and we received a government financial officer's association award for excellence in financial reporting for 40th year and moss adams. Do you want to take it?

Amanda McCleary-Moore: Sure. Thank you keith, ashley and ron for the introduction. I am amanda mccleary moore, a partner with moss adams, but i work in the oregon region and work with cities, and county governments. Next slide. We have just a short agenda for today. So, we're going to go through our engagement team so who we worked with and who the nature of the service is provided but we do perform audits and services for those different entities. And keith is going to do a high level audit process walk through just to let you know what it's like to work with the city. Because the past two years, the pandemic has impacted how we do audits. We'll walk through what we did there in our responses to covid. And end with our conclusion. We'll issue a number of audit reports and because our audit standards require we provide with you additional just highlights, we'll conclude with those required communications as well. Go to next slide. So two slides on engagement team is quite a significant team given the size of the city and related entities. And my responsibility is we comply with audit standards we follow and make sure we complete audit on time and i sign audit reports that get included. This year, i took over for jim losarada. I did work on the engagement to become family with your team and family with your particular city and then, i

took on that role this year, given his retirement at the end of 2020. And what we call concurring reviewer performs an independent review and is not part of the day-to-day audit team. She gets to make sure that we didn't miss anything and looking through financial statements and usually there is not a lot of comments. We do think it's important to have someone independent from the team. Owe it's nice to have review as well. You met keith simovik in, charge of day-to-day working with our audit team and making sure they get the work done and having those communications with city management as well. And just a side note there, keith will be becoming and entering our partnership january 1st and will are that partner designation here in less than a month. And mandy heal focused on city side of the financial statements so she worked on that new acronym, your annual comprehensive financial report. She helped manage that team. We do have a big team because of the different component units of the city. Hailey gelfy focused on the federal awards audit. Then we have danielle hyman, lead senior in charge of the prosper Portland audit and then, ed sullivan focused on the utilities side of the city. And amanda peace, the lead senior auditor for Portland fire and police disability and retirement plan. So big team, of course there was a number of staff involved and we have i.t. Auditors involved. This is who led your audit engagements this year. Go to next slide. So we're engaged to issue in-department audit report over the city's governmental wide financial statements as well as fund financial statements meaning we issue opinions and do look at the different been units of the city so we'll audit your major funds presented in balance sheet and statement of net position as well as your business type activities and governmental activities reported in the financial statement. And we provide assistance and technical review of the financial statements not only with gap so you're requiring to follow the generally accepted accounting principles, but you follow the standards and that, lord to obtain that been have you to follow those standards. However, in addition to those standards you're also providing additional information and have additional elements to obtain gfoa rates. And as well as an introductory information at the beginning of your financial statements. So additional requirements, i do participate in the program and so we're able to make sure you're leading those additional requirements. You do have federal awards that exceed \$750,000. We do complete our audit in accordance with governmental auditing as well and we have additional cpe and we will issue

a report under the governmental auditing standards that talks about internal control over financial reporting. Because you're an Oregon municipality, the state put out requirements for auditors and auditing government to perform procedures so we do perform audits with some Oregon revised at that time United States and issue a separate report on compliance with those items. Then we have issue of report and do complete that audit separate from city financial statements and perform it right after. It is come in a separate recording package and in the current year we audited the coronavirus release fund as well as-what is the other one? Emergency solutions grant program. Those are the two programs audited in the current year to get that coverage to meet those standards and then, we're lastly what we're here today to report to you all, and we have some additional communications to report. With that you can to next slide. So you have a number of entities he audit part of the city audit. So we talked about city of Portland and perform an audit over financial statements which is that acronym. We audit that as one engagement. Hen Portland fire and lease disability and retirement plan requires an audit is we audit hose as well as mount hood cable regulatory commission. Owe kind of just a snap shot of engagements audited is part of our project.

Keith Simovic: Thank you. Just to give you are more insight into this process, there is a number of ways that we can test the items included in that statement. To get to this point where we're providing opinions over fairness and accuracy of those. Already three ways to employ to do our testing and follow our standards we take a look at internal controls and it's very important to understand how transactions are processed and reviews along the way. And you'll see those in the bullet points here and we highlight i.t. Is a big piece of that and grows in importance every year in the audit profession because many internal controls are done in an electronic environment. We need to understand why are they there to understand had has access to the system? What can they do with that axis? Is it removed timely? Is it updated appropriately? So those a very, very important in addition to those manual controls that reviews approvals and things like that in these different areas we list, here. And analytical procedures are another important area we spend times with revenues and expenses running through the city to understand where those items ended up. Does that meet with our expectations? Based on maybe budget expenditures and revenues for the year? Maybe based on previous years and trends we're seeing over several years so there is a number of ways we

can look at that and gives us a 30,000 foot view to say does anything look off? From our expectations? We can dig in there to see if there are issues with how things are recorded. Where we spend the bulk of the procedures is the substantiating procedures pulling detailed samples, going back, looking at contracts, agreements and invoices that supporting substantial evidence, that audit evidence to say is those are very, very important and where we spend the bulk of our time. Next slide, i can see more insight but we do want to touch on just briefly, we did this audit in a remote environment more a second year and a reminder is of how we do that. All of this was done every year on site and we would bring our teams on site and be pulling documentation and reviewing lieu it on site. Having those conversations with staff, so this done in remote environment and thank goodness for technology and information exchanged with staff was done through our secure file transfer portal. And we've employed to have meetings pace to face and very important for screen sharing capabilities we're able to look and see internal controls and checks and balance as long the way. With this technology we're able to do that. We can see what is going on, on screen while doing that so we use that and test those controls throughout the year. Are those being applied consistently? That throws a wrinkle in ability to transact business. And reviewing that statement document it's important to be transparencies as well as now and had the future this, is the good news. An area that important that doesn't catch a lot of attention and i agree with that very important and speaks to hard work that your staff put moo this and if policies that are put in place and controls to get to these this point you're able to get a clean audit saying through testing we did we believe those are prepared accurately. No significant issues within internal controls so good news on that piece. With minimum audit standards report we didn't have findings as we went through testing. Let's say the bulk of the time is spend on testing procurement as well budgeting process and polling law. Same with single audit, making sure you're following the law of the land in terms of the compliance with those grant programs so this is as clean as it can get with our audit testing so very, very good news there and go ahead, move forward to next slide. This is calls communication chart just highlighting additional things to how audit went. And have conditions here and we didn't have to modify it when talking about difficulties this performing audit. Those things didn't happen. But we want to identify were there any audit adjustments? Those would be anything as going

through our audit testing that would be considered an error. Do we find anything where something wasn't reported? That didn't have an appropriate business purpose? Those are the things we're looking for in our testing once we start diving in and we didn't have material audit adjustments very if news and what you'd expect to receive with processes and team where he is in place and last point if there are significant deficiencies that is the high level of severity so lack of checks and balances to result in a material error. We didn't have anything under our nose so good news there and that's what you're looking for. And we share best practices with the team but didn't have anything to that high level severity or red flags to be on the look out for. Okay. Next slide. I think that is it, just thanks to everyone involved with this process. Of course, the financial folks are listed here and auditor's office and involvement in this as well as they're ones that contract with us and everyone we've worked with. There are a lot of different folks we've talked to and everyone has been helpful in this remote environment. I appreciate that. Back to Michelle Kirby to take us toward the next organization of the presentation.

Michelle Kirby: Thanks for joining us, congratulations Keith. I didn't know you had a promotion coming. That's great news to hear. Next slide now. I'm Michelle Kirby, city chief financial officer and it's been a trying year in ways we cannot have imagined. Covid-19 brought social impacts to our community members, organizations and businesses. And exposed inequities. The challenge is continuing uncertainty paired with increased service level demands due to prolonged impacts of the pandemic and economic recovery in Portland metro. The duration and severity of the service level needs for community members and local economy remain uncertain. As leaders I know you're very interested in the health of our city finances and how we compare. Next slide please. I want to assure you we're doing well. If news is that general obligation debt remains AAA by Moody's Investor Services and withheld the AAA rating since 1976 which is affirmed and less than 0% of the government newsmen's ballots have the AAA ratings which Portland held many years and we've maintained through this time. This is important and you may be asking yourself have we managed to maintain a strong financial position had the answer what it takes good assumptions and the report noted, our demonstrated controls will drive stable financial performance. Financial ratios to obtain a financial ratio and resulting calculation used and can be compared against other

companies or had our case, fence other governance. Today, we're going to look at four key ratios two testimony straight liquidity and two present information about our debt, and mention liabilities and we're going to examine how those compare to other cities across the country. So first examines our general fund balance as a percentage of revenue, measured by moody's this their analysis and this is a g foa recommended best practice all governments maintain an adequate level of fund balance this appal in liquidity. We want this to be high look across the top half, you can see on the left side the purple bar which is Portland, our ratio taken from our financial statements, compared to other aaa cities and other, two a1 cities one moves down then, aa2 cities and i want to point out this is as of 2020 because that is the information we have. I'm sure you've noticed we're at 15% and i indicated earlier that the level is determined based on individual circumstances so this our case stability of you are revenue stream is an offsetting factor that allows us to carry a more modest fund balance hen our peers. So property taxes are more stable than say, sales tax. Across the bottom we can see Portland trend analysis from 2016 to 2021 an included 21 on the far right because we have that information. We're reporting our statements for 2021 and this member helps us to demonstrate that getting this is helpful and gives us this information to track and to present to you. You'll notice there is a pro active cost cutting measures at the start of the pandemic and better than expected performance of our business license tax revenues during this past year. This is the first time we've presented financial ratio information to you. I'm having a hard time seeing.

Mapps: Thank you. I'm learning about this and very questions about it. And i thought i heard you say that cities with higher credit ratings should have a greater available fund balance why do we see cities with lower credit ratings tend to have higher fund balances?

Kirby: There are numerous that credit rating agencies look at. We're looking at four out of 35.

Mapps: Okay.

Kirby: They also look at the economy and region and look at your controls, so, the lower rated cities possibly had to have a higher fund balance if you're in an area hit by storms regularly, you may be have to be more flexibility and have a larger balance on hand for instance. And cities that have sales tax as their primary revenue really need larger fund

balance because that revenue stream is so volatile. It changes quickly up, and down. And so, you need more flexibility. Then our revenue stream.

Mapps: Okay. You said there are 35 different indicators we can look at and looking at four, today. Why did you pick this one to show us?

Kirby: So had in moody's analysis they flag or they comment on that are factors that helped them make a decision as their rational.

Mapps: Thank you very much.

Kirby: I'll be happy to bore you with more of them.

Mapps: I'll probably like that but won't make you do it today.

Kirby: We have three more. Why don't we move on to next slide, please. Thank you. This is also liquidity and format remains the same throughout all four. And this is a for all governmental operating funds. However, that would not include our utility funds just want to be clear there. And you can see, we've been able to maintain a strong and increases you can see are reflective primarily of our receipt of one-time federal resources. This is pretty cut and dry. So if there is no questions i'll move on to next slide. Thank you.

Wheeler: Question for commissioner ryan?

Kirby: Sorry. Yes. Going back to the cash metrics on paper, organization looked better than in cash and so i just had the same, cash is king. So do you, is this a factor they look at that helps this rating?

Kirby: Other cities we got from their data base so moody's is tracking this. It's one of the numerous factors.

Ryan: Did you say that is the reason we saw it in 2021.

Kirby: Correct.

Mapps: Can i have a clarifying question? This is my first go around so i'm still figuring it out. Can you give me a percentage of operating cash as percentage of operating revenues is? I know we don't have utility dollars there. What am i looking at here?

Kirby: So the cash balance and brant funds are on the governmental side is of our ledger. Enterprise funds stand on their own because of the nature of the way financials are managed to these funds are important because they're important to investors because there is more

flexibility around them and having cash balances in your operating funds to allow for flexibility just, important and part that have liquidity factor. Does that answer your question?

Mapps: Is this a point in time?

Kirby: Yes.

Mapps: What point in time. Maybe that would help? What point are we talking about?

Kirby: So all of this information is as a fiscal year end. We took representing the financial report which is June 30th. Those numbers came from the report you're talking about over the last half hour.

Kirby: It's a point in time and does go up and down. Okay. Anybody else? Next one is even more exciting. This is shifting from liquidity to what we owe we're showing our governmental debt of real market value. It demonstrates interest costs have not over taken our budget flexibility and your ability to fund programs. And while it appears we have room to finance some projects it's important to note the repayment would need to come from a voter approved tax increase or would need to be budgeted with ongoing general fund resources. This is a tricky one.

Mapps: Thank you. Can someone define what real market value means in this context? Then, second question is looking at how much debt the city has taken on and compare that to other cities. So we have our government debt is about 0.6% of what ever real market value is. What does that equal in terms of dollars? Then if someone can give me a guess? On the gap between Portland step load that would be great.

Kirby: Matt, I'm turning this over to you.

Matt Gierach: Thank you. Thank you Michelle and Commissioner for the question. So the real market value question is what the county assessor looks at all properties and that is what they think the real market value is. The second question looking to get to 0.09% that equivalent to about 500 million.

Gierach: There are some debt that we are authorized but haven't issued yet.

Hardesty: You may have just answered my question. My question was does city liability does not show the full picture? Is that accurate? Had.

Gierach: Can you clarify that?

Hardesty: This is repayment of bonds for projects and other things. The city should occur debt outside of that process about we're going to go out to bond for back maintenance needs it would look significantly different is what i'm saying. I don't want to paint a false picture because the debt we're in is not based on what the need is. Is that an accurate statement?

Gierach: I'm sorry. I'm on mute.

Kirby: This is projects that were approved over the years and important to note.

Hardesty: I'm trying to have governmental --.

Kirby: Right. So there is need beyond what we have already.

Kirby: Need we haven't financed yet.

Hardesty: Thank you. I just want to be clear this is a snap shot of debt we need to occur.

Kirby: Yes. That true.

Kirby: Thank you. Are we ready to move on to the next one?

Wheeler: Yes.

Kirby: Thank you.

Kirby: Okay. Both are fire and police disability and retirement plan, fpd and r. What you see on the gray portion of the left bar as well as our oregon public employment retirement system which covers majority of our city employees. And our pension liability appears very high. You can see outstanding liability makes up most of this because of the pay, to funding plan which low risk due to our property tax levy. The annual fpdnr plan benefits and expenses paid with revenues derived from a voter approved dedicated levy that can be levied each year up to \$2.80 per \$1,000 of taxable, real market value. Our current levy is at \$1, \$0.15 per \$1,000 taxable real market value which is quite a bit under. So this property tax levy has been sufficient and advocacy tested regularly, which is why it's considered fairly low risk. Our plan is a multi employer defined plan and is a factor of the rate of return on plan assets. News this year is that the plan has seen strong investment performance and earned 17.3% lieu october. Do we have items on the slide? The item that needs to be discussed with rating agencies and others that looks on paper we have this huge liability but brings our risk down. To a more manageable level. I'm not seeing hands raised.

Wheeler: Commissioner ryan.

Ryan: I just did it. Your explanation makes me want to know a little bit more. I follow you're saying the fpdr has a revenue stream that comes into support that. I wish going forward, say in data below, maybe proportionality the same but i like did you that with that bar graph. It's mart going forward, always, give us that breakdown. And now we have this information. Does that make sense?

Kirby: Yes. That makes sense.

Ryan: Is this pretty volatile as well? 2008 was rough for prs accounts and it's connected to wall street. Is that correct?

Kirby: Yes. Absolutely. To rate of return. Assets are in a big pool what invested and yeah. It's depending on the market rate.

Ryan: Yes. So that would be the one just going forward to see if there are changes in that.

Kirby: Yes. Happy to modify this slide.

Ryan: Thank you, owe much.

Kirby: Okay. Next lied, our conclusion, the city managed shifts in resources and operations and minimizing impacts by being thoughtful and adaptive to this environment despite extreme adversity, the city has come together to address each challenge, financial excellence takes effort. And strong credits ratings demonstrate the combination of poll says, disciplined management and provides challenges when they arise so these will continue to serve us well as we continue to navigate and that is our presentation today. Mayor, back to you.

Wheeler: Thank you. Appreciate it very much. And colleagues those are great questions.

Thank you. If there is in further questions do we are public testimony on this report?

Clerk: No one signed up, mayor.

Wheeler: In one signed up.

Ryan: Seems we're this a season of unprecedented efforts so do you feel though the question is i noticed you are people from moss adams. Right? Is that true every year? Is that special focus this year?

Kirby: No. It's been a requirement many years and this year, dollars have been larger and because he pick major programs and amanda indicated what the programs were and they didn't have to do as many because it was such a large dollar amount that is their focus but it an annual report.

Ryan: It appears arpa dollars are more complex. Good news is that we can expend them over a period of time longer than the rescue dollars, however, there more rules and regulations with them. Is that true?

Kirby: Yes.

Kirby: You must say we have an amazing incredible staff led by sheila craig. We to keep a modest administrative budget out of arpa funds to ensure we can provide administration of these moneys quickly, efficiently so there won't be any surprises or any bad news next year.

Kirby: Thank you.

Ryan: I wanted to make sure we to the that into public records.

Kirby: Thank you.

Wheeler: Thank you. With that motion to accept the report.

Ryan: So moved.

Hardesty: Second.

Wheeler: Any further discussion? Call the roll.

Clerk: Mapps?

Mapps: I'd like to thank staff and invited guests for this very clear presentation today. I'm glad to hear that the city has robust financial accountability systems in place. And i'm delighted to hear the city's financial fundamentals remain sound. For those reasons i'm glad to vote aye.

Clerk: Rubio?

Rubio: I want to thank cfo kirby and staff for the audit and i really want to appreciate cfo kirby an the city team's work to ensure we maintain our excellent aaa rating and standing. Thank you for all you do. And pandemic highlights having reliability analysis to make sound decisions for communities in these difficult times so thank you, again for presentation. I vote aye.

Clerk: Ryan.

Ryan: Yes. Thank you, again for your amazing staff and partners for bringing this audit. Citywide into the public record. There is nothing like a clean audit. I've been involved with ones that material weaknesses and it's a big process to clean up and maintaining moody's aaa rating just better for your interest rates. So anyway. It's a pleasure to receive a report like this.

It doesn't get enough attention and there is a lot of labor and if work that goes into this. So thank you, so much. I vote aye.

Clerk: Hardesty?

Hardesty: I'll join the chorus line to be grateful and appreciative for the hard work of the auditors as well as your division director Kirby. I think most people who haven't served on nonprofit boards AAA rating is the best you can do and very 40 plus years of an award of excellence and audits really shows the commitment to ensure we're using public dollars in a what transparent and accountable to good financial practices. I'm excited about continuing this effort and I guess last thing I want to say is that it's a reminder we did financial planning give years out. Sometimes we're in the taking into account the long term implications. Job well done, happy to continue our AAA rating and happy to vote aye.

Clerk: Wheeler.

Wheeler: Thank you accounting division as well as Moss Adams for your work and we have with news to celebrate and questions, fiscal year received an unmodified report. Our credit rating remains AAA during a ready of unprecedented financial uncertainty. Key indicators reflect financial strength this relation to other cities across the country. We're weathering current economic challenges, we are to continue to maintain stable fund balances and so with that, I appreciate this report. I appreciate the great work that has been done by the team both internal to city of Portland as well as external auditors, I vote aye. Thank you.

Wheeler: Item 871, second reading.

Clerk: Accept and appropriate amount in the amount of 9,351 \$ and authorize intergovernmental agreement with Oregon Department of Transportation for the 2022 motor carrier safety assistance plan for commercial motor vehicle inspections by police bureau sworn personnel.

Wheeler: We have had testimony. Is there any discussion on this item before calling roll? Seeing none, Keelan, please call roll.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: Aye.

Clerk: Ryan?

Ryan: Aye.

Clerk: Hardesty?

Hardesty: Aye.

Clerk: Wheeler?

Wheeler: Aye.

Wheeler: Ordinance is adopted. Next item, 872 a nonemergency ordinance.

Clerk: Authorize a competitive solicitation and contract with the lowest responsible bidder for construction of the stark trunk relief structure project number e11009 for an estimated cost of 240000.

Mapps: The item comes are environmental services providing sewage and storm water collection services to meet city's current and future needs. That protects public health, water quality and environmental. The project will alleviate flooding and protect the community providing infrastructure necessary to safely convey this will not increase frequency or volume of combined overflows that go into the river. Instead reducing flooding in streets and buildings and this authorizes that with a contract with lowest bidder. We are two staff members telling us more about the project so amy doing with environmental services and mat goth. Welcome, tell us more.

Amy Dunning: Good morning to everyone and.

Dunning: So thank you for your time. We come to you to request authorization to release the project. As commissioner mentioned i'm presenting here with matt goff from public involvement. You may recall i present a project overview as part of a temporary easement ordinance. This project is located at southeast stark and third avenue. During storms, overflows released to the street and this project will construct infrastructure including under ground structure and large pipe culvert, flows redirected from the sewer main to the existing 37 main and ultimately, the willamette river. Next slide.

Dunning: Matt?

Matt Gough: Sorry. My name matt goff. I help with outreach for improvement projects and outreach for this project began in may, 2020 an focus on introducing the project, providing a public contact and preparing for design activities and in people are requested schedule

updates but not expressed concerns about the project and in addition we conducted focused outreach to businesses in particular companies between stark and washington and we've worked out logistics. And during construction we'll focus on maintaining communication with supply an other misses and preparing neighborhoods we intent to work as a team to address them. Next slide please. The project is scheduled to advertise this january, 2022 an begin construction in may, 2022 and it important to realign our construction with the tried season and estimated to lost five months. Next slide. That is the end of our presentation and i'd like to open it up to any questions.

Wheeler: Colleagues? Any questions? Any public testimony on this item? Next item please. 873.

Clerk: Authorize a solicitation and contract with lowest responsible bidder for construction of the project number e11155 for cost of \$1,458,600

Wheeler: first reading of nonemergency ordinance. Commissioner mapps?

Mapps: Ordinance before us today would authorize services that will manage storm water and reduce bleeding at four sites across the city and will repair aging sumps to prevent failures and will help control storm water runoff during heavy rains and will improve water quality in our rivers and creeks. This project will help prevent bleeding of our streets and will solicit bids to collect 28 pumps and scheduled to begin in to june and completed within a year. Today we have lee staff members who will tell us more about the project. Let me welcome engineering supervisor riley aye walsh.

Brandon Wilson: Welcome my name brandon wilson, engineering supervisor. And commissioner to a great job summarizing what we're going to be talking about.

Riley Walsh: I'm going to turn it over to riley at this point. Thank you. Thank you. Clerk will be outing up presentation here, thank you for your time. My name riley wam, stein project manager for citywide sump project presenting today to receive authorization to solicit a competitive bid and contract with the lowest responsibility bidder for this project. Next slide, please. Brief project overview, citywide sump project installing 14 project locations in south north and southeast Portland and is allowing storm water to infiltrate moo the ground. There is a diagram to show how storm water is selected by storm trains, filtered and then goes into our sump or uic an then goes lieu the drain rock and drains into the sound. You can owe a

map showing sumps due to soil commissions. This is the first project yes to replace rehabilitate existing and failing sumps. When the county installed them they were installed substandard and some are failing and in addition to sumps will install several ada ramps. You can see construction methods we'll be using to replace the sump. You have two construction workers and on the left similar to this project. Had will be completed via open cut excavation. Next slide. Now turn it over to stephanas to speak on impacts.

Stefanus Gunawan: Thank you. In outreach coordinator for projects and so excuse me, very a sick kid in the back ground if you hear some cooings. Outreach began 2019, and it's evolved, throughout covid and there is more than 15 neighborhoods and districts part of this project. So, the best method that we came up with is using mainstream media projects next door and some face-to-face. And seeing spanish was a highly needed language needed and polled by vietnamese and chinese communities and had diagram can plays the project and how this can effect neighborhood streets and we're providing translations as needed around these projects. I speak spanish. So it's that, can be helpful around translating and assisting others that need that.

Walsh: We have three potential next speaker please. So engineer estimate with a high confidence level, and anticipate to advertise had april, 2022 in construction july, 2022 and construction duration of 240 day goes up to a year as commissioner stated and that is all very for you today. Next slide. And open for questions.

Wheeler: Commissioner mapps?

Mapps: Can we go back to the slides that shows locations of our pumps? There we go. I should know the answer to this. I don't. Looking at the map on the left i'm struck by the lack of density of sumps this inner southeast and northeast.

Walsh: These are outside of the cso system an a lot adopted from the county which didn't tie into the storm system that far out. So there not a storm system in, father east, Portland great. Thank you. Interesting.

Wheeler: Do we are public testimony on this item?

Clerk: No one signed up.

Wheeler: Commissioner hardesty?

Hardesty: Commissioner mapps made me can this question. What happens to storm water runoff? In east Portland?

Walsh: It's there instead of storm sewers the sumps take it southeast and it manages to hold that flow.

Hardesty: How does that work in communities that are sumplless?

Walsh: Different some of the storm drains into the big pipe so. Great for reducing waste water that we have to treat.

Hardesty: Is this is interesting because the project you're going to be doing on washington and third is a good example of how storm water captures. We have areas of that in east Portland. And is there another alternative? To with collected? Very good.

Wheeler: You is he there in public testimony?

Clerk: Correct.

Wheeler: This is the first reading of nonemergency ordinance moves to second reading. Item 874 please.

Clerk: Authorize bureau of transportation to acquire certain permanent and temporary rights necessary for construction of the northeast transit project through the exercise of the city's imminent domain authority.

Wheeler: This is an emergency ordinance. Commissioner hardesty?

Hardesty: Thank you, mayor. The ordinance in front of you is also referred to as a northeast hallsy project and will restore transit related improvements between northeast 68th avenue and northeast 92 avenue. These will assess cheel chair accessible ramps, painted bike lanes and new sidewalks. To answer questions, very from the Portland bureau of transportation, nicole pierce and kevin balka.

Kevin Balak: That right. Thank you.

Nicole Peirce: I think clerk was going to share the presentation.

Peirce: Good morning mayor wheeler and commissioners. My name is nicole pierce. I'm a capital project manager and i'm here in support of our right of way division to give you a grieve overview of the northeast hallsy transit improvement project. And i present on this project in 2019 and you passed and ordinance accepting \$2.4 million grant for had funding for this \$1 million project. Next slide. Ask is here the bureau, acquiring certain rights necessary

for construction of the northeast policy project through eminent domain authority. Next slide this project is a result of two planning efforts. The 2009 east side report and 2016 growing transit communities plan. Both of those planning efforts included extensive public involvement in the form of surveys, open houses and advisory committees. Located in an area that scores higher than average populations of low income, limited english proficiency and nonwhite populations and has a lot of community support but i want to mention two organizations. First is join. They're located on northeast 81 and second is the county juvenile justice complex located on north east 68 avenue. So is south of that western red triangle and join south of the orange triangle at 80th so also, it's i'd bid for more frequent transfer service here and designated high crash network stret for two and will connect to the gateway transit center. This making it easier and safer for people to bike, walk and roll to and from the station now i'm going to quickly go through some highlights of the scope of the project. Next slide. So starting are west. We're constructing a had you crossing at north east policy at 68th avenue. You can see there is no crossing and if you know the area, i should make it safer to cross there and i should say, commissioner mentioned ada ramps. Next slide. We'll be adding a mini round about at northeast hallsy and 8th avenue. Next slide. So we'll put in two new crosswalks with median islands and doing sidewalk infill along 81 avenue. Next slide please. 80th over i84 we're going to striping two way bumpered bike lanes there are no bike ka sill cities currently. Next slide. And here is a cross section showing how they'll look on the truck tour, next slide. That buffered lane will continue out along to 92 avenue remaining on the south side of the road. You can see there are no sidewalks at all on hallsy from 85th to 92 and this project will be adding a sidewalk on the north side of the treat. Next slide. We won't be reducing vehicle capacity. We're going to keep the number of travel lanes however, we'll be removing parking on the south side of hallsy. So schedule pro project, the teal completed 60% design and we're hoping to get started early 2023 and just a brief overview we've done so far we're able to do an in person open house but did a virtual open house and online survey and in advance of the survey, we mailed postcards to almost 9,000 households. The open house and survey available in english, spanish, vietnamese and received over 400 responses with the majority expressing support for the project i've given presentations at madison south meetings and give property owners a head up and i are spoken to several

residents and business owners along the project corridor. Next slide, now presentation off to Kevin Balik.

Balak: Thank you, Nicole. In the morning and my name Kevin Balik. I am right of way agent for P-dot and right of way for this project agenda is giving authority to compensate effective property owners for easements and in necessary to property rights associated with Northeast Halsey project. Permanent and permanent right of ways are needed from seven properties for completion of roadway and signal facilities. Temporary rights needed from all 28 properties for construction support activities. All affected owners have been informed of the need for specific easements. With that, we can take questions from you.

Wheeler: Do we have questions or testimony?

Wheeler: Commissioner Hardesty?

Hardesty: I wanted to take this opportunity to appreciate Kevin as public right of ways person in charge. You and your staff did a brilliant job during COVID, helping keep businesses operating and I just want to let you know, publicly how grateful I am to your philosophy of how do we make it work compared to how do I make sure that the city charges for this at the time that was there. Right? So I did not want the day to go by without letting you know I see you and appreciate you thank you very much.

Wheeler: That concludes our testimony, Mayor. Please call roll.

Clerk: Mapps?

Mapps: I want to thank Commissioner Hardesty for bringing this forward. And I vote aye.

Clerk: Rubio?

Rubio: Thank you for bringing this item forward.

Rubio: Thank you. I know this area very well and these improvements are greatly needed and I'm excited to see this begin so thank you, again for the great presentation. I'm looking forward to it. I vote aye.

Clerk: Ryan?

Ryan: Yes. Joining the chorus here, thank you Commissioner Hardesty for leadership with right of way staff. And it's just fascinating to know you're thrilled this change is coming and I appreciate lifting up the need for wheelchair ramps. And this is a wonderful step in the right direction and I vote aye.

Clerk: Hardesty?

Hardesty: Thank you p got and nicole for the presentation and you to staff. Agree this is my hood, i'm excited about the improvements and i'm happy to vote aye.

Clerk: Wheeler?

Wheeler: I vote aye ordinance adopted you thank you everybody and staff. Consent agenda.

Clerk: Create a new classification of director of police education and training which is exempt from service.

Wheeler: This creates a range for director of police education and training. The bureau has been interested in this position sometime and is part of the creation of the process, city attorney robert taylor, chief deputy heidi brown are here to answer questions.

Hardesty: This is an important piece. I to not want it to not have an opportunity to understand the shift we're back to take. I appreciate everyone supporting having a brief conversation about it. And i do have a question about the ordinance itself. And i wanted and was hoping either heidi or robert would in plain speak why is this so key to moving forward in our transformation?

Robert Taylor: Thank you. My name is robert tyler, i'm city attorney and this position is an important step in improving policing in Portland, something the department of justice has asked as one of the remedies and the concept behind this is that other cities do this also and idea is that this will be a civilian person with expertise in adult education and will be responsible for directing educational aspects for the bureau and a person with that type of expertise can help officers understand the training in a way we think will be more effective and that the purpose behind it.

Hardesty: Thank you very much robert that was clear and i am appreciative. I have one question for barb. There is a \$40 difference for the low end of the pay scale and top end of the pay scale. Seems like a large range in salary for this particular position?

Barb Siples: Thank you for the question, commissioner. I'm barb siepels, bar bureau of human resources and classification and to answer your question the way the team determines pay ranges based on a combination of market research, we went first to the market in terms of comparable e pregress and made a tentative expression of what would be appropriate pay and matched that to existing pay grades for existing classifications that have

a similar level of authority, responsibility and independence in carrying out their program after lacking a market we felt duties and responsibility level aligned with our current classification manager three and so we decided to match this position at the city.

Hardesty: Maybe a better question to help me understand. I'm not understanding. I would think there would be a different pool of candidates at 117,000 a year than at 200,000 a year. I'm in the understanding why there is almost a \$40 difference between low end of the pay scale and high end of the pay scale. What are you measuring to get from 117 to 200,000 annually as salary?

Siples: Frankly it's really just an alignment with our current pay structure, it was using an existing pay structure and I don't have an answer for you on how that was termed in the past.

Hardesty: Mayor?

Heidi Brown: Good morning council, Heidi Brown chief deputy city attorney. So pay range determined in that study that occurred in 2019 and it was adopted at that time and based on a market analysis of areas there and the range existed since changing our classifications both specifications and structure back at the end of 2019. Does that help?

Hardesty: I don't think it is. This my concern for the council. If we put out a job application where they range from 117 to 200,000, that such a significant range of experience, and it appears would be difficult to figure out what the salary would be. They're hiring a professional trainer and someone with expertise we don't have inside. I'm concerned about the appearance is significant. I don't think we narrowed down what we're looking for and I question whether or not we classified it appropriately.

Wheeler: With that knowledge I'd like to withdraw the emergency clause for this. Can I get a second please?

Hardesty: Second.

Wheeler: Call role please?

[Roll called]

Wheeler: What I encourage since I'm going to move this to second reading if you can potentially hammer out your concerns?

Hardesty: Thank you, i appreciate that. That is my biggest concern. I'm a big fan of this and in support. I want to make sure we hire the right people and understand what it we're recruiting for.

Wheeler: Thank you. Any further discussion? There public testimony?

Clerk: No one signed up first reading of a nonemergency ordinance moves to second reading. Item 863 pulled from consent.

Clerk: Pay settlement of lori ovenbeck.

Wheeler: This is a property damage claim february, 2021 liability claims manager jessica bird here to present the ordinance.

Wheeler: Should we hear kathryn first and that will help focus staff response? Let's do that. Let's let kathryn speak three minutes please. Name for the record.

Clerk: Okay.

Clerk: Kathryn. Are you there?

Clerk: It looks leak you're still muted.

Catherine Thompson: To that take care of it.

Wheeler: Yes. We can hear you okay.

Thompson: Let's see. It's still good morning i'm here to comment on this item. And to raise a concern and i have a question in response to the settlement in which property damage occurred due to falling branches with potential liability. My question is the highest political authority in the city, how can you act to prevent these dangerous damages when hazard has been identified? And i think it's pertinent today. S a pediatrician i recognize prevention the most effective and economic strategy. And, with a group of volunteers i have poured over 2019 inventory of trees if south park blocks and we've discovered this inventory identified is subset of otherwise healthy, viable trees that are hazardous due to low pressure sided canopy, large, dead branches, and trees with evidence of potential structural instability. Two trees described in this way fell in february, 2021 in an ice storm causing considerable property damage. This one was injured. I want to thank commissioner rubio and staff for their responsiveness in discussing these issues and in june in conversation with stinsoi castro and urban forester joel smith we learned none of the maintenance recommendations, none of these hazardous trees had been addressed. None. We've written letters to parks department,

urban forester asking for urgent remediation without success and have had a discussion with Laura Schwartz over a month ago and she seems to get it. I urge you contact Morgan Hull and Associates to prioritize the trees and I submitted documents today. I think another crew may be available and it's clear urban forestry not available to respond in a timely fashion and so in condition collusion, I'm here to ask you to handle your trees in a preventative and economical way.

Wheeler: Thank you for highlighting this and sounds like you're working with the commissioner in charge on potential solutions and I appreciate you being here to offer up some approaches. I thank you. Any public testimony?

Clerk: No. That is it.

Wheeler: Colleagues?

Wheeler: With that, I think Jessica is off hook. Role please?

Clerk: Mapps?

Mapps: Aye.

Rubio: I want to thank Kathryn for sharing her concerns and information and I want to extend apologies to Miss Ovenback that these happened. Urban forestry has been operating under challenging funding circumstances over many, many years and with passage of the parks local option heavy, parks will be able to protect Portland 1.2 million trees by performing proactive maintenance and replacement and a portion of the revenue funding allocated to urban forestry division during the monitoring process in November and this includes adding and being more responsive to tree emergencies and increase urban tree canopy and improve services for our regulatory functions so I understand there are areas where the members are concerned about the trees and I look forward and my team will continue to work with the community with that, I vote aye.

Clerk: Ryan?

Ryan: Aye.

Clerk: Hardesty.

Hardesty: Thank you, Commissioner Rubio for that explanation. I'm looking forward to seeing outcome of the work and I vote aye.

Clerk: Wheeler?

Wheeler: I want to applaud actions here. So thank you for that. And happy to vote aye.

Wheeler: Last item, 866 please.

Clerk: Accept a grant in amount of \$400,000 from u.s. Department of justice office, office of justice programs bureau of justice assistance and appropriate \$220,797 for fy, 2021 intellectual property enforcement program grant to address intellectual property enforcement.

Wheeler: Increasing intellectual property crimes in the only affect big businesses but counterfeit goods pose a threat to health and safety of our community that proven to be salient throughout this last couple years. The crime task force founded in 2015 and funded by previous enforcement program grants has seen an increase had treatments in the greater area. Since march, 2020 task force investigated and seized shipments of counterfeit, kn95 masks as well as covid-19 rapid tests. These would have ended up in homes, ifs and hospitals adding concerns to an already dangerous situation. And these interceptions were made possible by the funding from i pep grant and police bureau and task force will into build on keeping harmful items from landing in the hands of unexpecting victims and the award will be used to fund task force overtime, with investigation of intellectual property crimes and development of outreach and development of a training program for law enforcement agencies to teach investigative techniques on ip crime. Detective cheryl waddle here to provide context and before we get by that is that pull by council or a mayor of the community?

Hardesty: It was pulled by me, mayor.

Hardesty: This sounds like a great grant. And hemally he can i part of the task force and i just wanted to put on the record to make sure we're not sharing information inappropriately with information we should not be sharing information w can you tell me.

Cheryl Waddell: Thank you. We don't share --.

Wheeler: Could i get you to, i know i introduced you. State your name, i apologize.

Waddell: Sorry.

Waddell: I'm grant manager for intellectual property enforcement as being force. Information not shared with you may be alluding to ice. We do not work with ice at all only work with hsi investigations which they investigate fraud, bank and wire fraud and those

types of investigations. And as for border patrol it should say customs and border protection working with officers that are customs officers at the port so hair infected at cvp. We're a port of entry. So they inspect these. I have a power point.

Hardesty: No. I wanted to make sure because Portlanders are concerned when engaged with federal agencies.

Waddell: We have never, and very been the involve in this grant since beginning in 2011 and have written every brant and are been the add minute rater every time. I can assure you, we've never worked in that capacity or shared that information.

Hardesty: Thank you. You've put my mind at ease. I'm sure members of public. I've read you're searching the black net. What is the police role in policing the black net?

Waddell: I've never heard it called black net. I think dark net.

Hardesty: Ah, yes.

Hardesty: Maybe it checked it to black net. Because i do that. Yes.

Hardesty: Dark net. You're right. That is what i read.

Waddell: Dark net is a location within the internet. It's just the tip of the iceberg, other part of the net are called black met these are available and you can down load and look around on.

Waddell: It's that are on the dark net so people what don't want to be seen except under where subject are exchanging counterfeit goods so they're selling credit card names, pii so my investigation i work for white collar crime, property crimes and our fashions encompass those property crimes so that the only way.

Hardesty: You've answered my questions and it's appears you enjoy your job very much. Thank you so much for being here today to answer my questions. I'm appreciative.

Wheeler: Thank you. Any further questions?

Hardesty: No more.

Wheeler: Keelan do we have any public testimony on this item?

Clerk: No one signed up

Wheeler: please call role.

Clerk: Mapps?

Mapps: Aye.

Clerk: Rubio?

Rubio: I want to thank deputy chief to talk to my staff about this item and detective waddle for thorough explanation today, oos we learned agencies, bureau coordinates with for these operations it became clear we want to do more digging owe i appreciate the information an help. Our office wants to make sure the city stays in compliance and our immigrant communities have been impacted i joint operations like into in the past with federal agencies i understand this will not require, more focus on immigration enforcement. And can understand heck be used for property enforcement, correct. My staff will remain in communication throughout the grant to be assured we do not run afoul of the oregon sanctuary act. So with these reasons i vote aye.

Ryan: Thank you. I vote aye.

Clerk: Hardesty?

Hardesty: I also want to thank you, again, and is important the public understands and when we see homeland security, and agents herring information it sends off alarm bells. You've done a great job of answering my question and i vote a yes.

Wheeler: Happy to vote aye. Thank you everybody working hard on this. Colleagues, we are adjourned. Thank you.

Council adjourned at 11:47 a.m.