



## May 18-19, 2022 Council Agenda

5661

City Hall - 1221 SW Fourth Avenue, Portland, OR 97204

In accordance with Portland City Code and state law, City Council will hold hybrid public meetings, which provides for both virtual and limited in-person attendance. Members of council will elect to attend remotely by video and teleconference, or in-person. The City has made several avenues available for the public to listen to the audio broadcast of this meeting, including the City's YouTube Channel, [eGov PDX](#), the [Open Signal website](#), and Xfinity Channel 30 and 330.

Questions may be directed to [councilclerk@portlandoregon.gov](mailto:councilclerk@portlandoregon.gov).

Disposition Agenda

Audio Recordings

### Wednesday, May 18, 2022 9:30 am

---

**Session Status:** Recessed

**Council in Attendance:** Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Former Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Mayor Wheeler presided.

Officers in attendance: Matt Farley, Senior Deputy City Attorney; Keelan McClymont, Council Clerk

Items 397 and 409 were pulled from the Consent Agenda and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

Council recessed at 11:20 a.m. and reconvened at 11:31 a.m.

Council recessed at 12:35 p.m.

### Communications

389

[Request of Sarah Hanneken to address Council regarding ban on the sale of foie gras](#) (Communication)

**Document number:** 389-2022

**Disposition:** Placed on File

390

[Request of Mary Ann Schwab to address Council regarding a thank you to those that kept the City together during the pandemic](#) (Communication)

**Document number:** 390-2022

**Disposition:** Placed on File

391

[Request of Dani Rukin to address Council regarding fur sale ban](#) (Communication)

**Document number:** 391-2022

**Disposition:** Placed on File

392

[Request of Matthew Cooper to address Council regarding fur sale ban](#) (Communication)

**Document number:** 392-2022

**Disposition:** Placed on File

393

[Request of Danny Cage to address Council regarding Youth Voice Youth Vote Participatory Budgeting in the FY 22-23 Budget](#) (Communication)

**Document number:** 393-2022

**Disposition:** Placed on File

## Time Certain

394

[City Council to convene as Prosper Portland Budget Committee to approve the FY 2022-23 Budget](#) (Report)

**Document number:** 394-2022

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Prosper Portland

**Time certain:** 9:45 am

**Time requested:** 30 minutes

**Disposition:** Placed on File As Amended

Motion to accept the revised change memo and Exhibit A to resolution 7451: Moved by Wheeler and seconded by Rubio. (Y-5)

Record is kept by Prosper Portland Budget Committee Clerk.

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

395

[Proclaim May 21, 2022 to be Kids to Parks Day](#) (Proclamation)

**Document number:** 395-2022

**Introduced by:** Mayor Ted Wheeler; Commissioner Carmen Rubio

**Bureau:** Parks & Recreation

**Time certain:** 10:15 am

**Time requested:** 10 minutes

**Disposition:** Placed on File

## Consent Agenda

396

[\\*Grant revocable permits to the Portland Rose Festival Foundation to perform activities relating to Portland Rose Festival annual celebration from May 27 through June 12, 2022](#) (Emergency Ordinance)

**Document number:** 190813

**Introduced by:** Commissioner Dan Ryan; Former Commissioner Jo Ann Hardesty

**Bureau:** Transportation

**Disposition:** Passed

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

397

[\\*Amend contract with Rosenbaum & Associates, LLP for Compliance Office Community Liaison services to extend term, increase compensation, revise Statement of Work to be more specific, identify key personnel, and provide for further extensions in an amount not to exceed \\$2,506,297 \(amend Contract No. 30007128\)](#)

(Emergency Ordinance)

**Document number:** 190826

**Introduced by:** Mayor Ted Wheeler

**Bureau:** City Attorney

Agenda item 397 was pulled from the Consent agenda for discussion.

**Disposition:** Passed

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

398

[Update salary grade for Risk Manager classification](#) (Ordinance)

**Document number:** 190814

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Human Resources; Management and Finance

Second reading agenda item 375.

**Disposition:** Passed

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

399

[\\*Authorize conveyance of City-owned real property located at 5020 N Interstate Avenue to 5020 AA Limited Partnership or a Community Development Partners / Self-Enhancement, Inc. affiliate for development of a new 63-unit affordable housing project](#) (Emergency Ordinance)

**Document number:** 190815

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Disposition:** Passed

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

400

[Amend approved application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for 82nd Ave Multi-Use located at 1750 NE 82nd Ave to increase the number of restricted units \(amend Ordinance No. 189880\)](#) (Ordinance)

**Document number:** 190829

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Disposition:** Passed to second reading

Passed to second reading May 25, 2022 at 9:30 a.m.

401

[Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Sunshine Dairy Apartments located at 2050 NE Pacific St](#) (Ordinance)

**Document number:** 190830

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Disposition:** Passed to second reading

Passed to second reading May 25, 2022 at 9:30 a.m.

402

[Amend Local Improvement Procedure Code provisions to clarify that financial feasibility analysis occurs irrespective of method of initiation, improve readability of Resolution of Intent procedure, and clarify property owner notification requirements consistent with the City Charter \(Amend Code Sections 17.08.010, 17.08.040, 17.08.050, 17.08.060, 17.08.070, 17.08.110, and 17.08.130\)](#) (Ordinance)

**Document number:** 190816

**Introduced by:** Former Commissioner Jo Ann Hardesty

**Bureau:** Transportation

Second reading agenda item 377.

**Disposition:** Passed

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

403

[Amend contract with Parametrix, Inc. for professional engineering services for the Lombard Pump Station and Forcemain Upgrade Project No. E1092 in the amount of \\$261,774 \(amend Contract No. 30006282\)](#) (Ordinance)

**Document number:** 190831

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Environmental Services

**Disposition:** Passed to second reading

Passed to second reading May 25, 2022 at 9:30 a.m.

404

[Authorize competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the Columbia Boulevard Wastewater Treatment Plant Effluent Channel Wash Water Line Replacement Project No. E11250 for an estimated amount of \\$1,500,000](#) (Ordinance)

**Document number:** 190832

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Environmental Services

**Disposition:** Passed to second reading

Passed to second reading May 25, 2022 at 9:30 a.m.

405

[Amend contract with e-Builder, Inc. to extend term and increase the amount by \\$1,356,054 for project management software \(amend Contract No. 30004084\)](#) (Ordinance)

**Document number:** 190817

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Environmental Services

Second reading agenda item 378.

**Disposition:** Passed

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

406

[\\*Authorize Utility Construction Agreement with Oregon Department of Transportation for the St. Johns to NW Kittridge Ave Project in the amount of \\$84,338](#) (Emergency Ordinance)

**Document number:** 190818

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Water

**Disposition:** Passed

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

407

[\\*Accept and appropriate a grant in the amount of \\$15,713 from the Oregon State Historic Preservation Office for underrepresented historic site documentation and protection](#) (Emergency Ordinance)

**Document number:** 190819

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Planning and Sustainability

**Disposition:** Passed

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

408

[Accept the 2021 Title 11 Trees Fund Report](#) (Report)

**Document number:** 408-2022

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Parks & Recreation

**Disposition:** Accepted

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

409

[\\*Authorize Agreement between Portland Parks & Recreation and Portland Public Schools for the joint use of athletic facilities](#) (Emergency Ordinance)

**Document number:** 190827

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Parks & Recreation

Agenda item 409 was pulled from the Consent agenda for discussion.

**Disposition:** Passed

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

## Regular Agenda

410

[Align effective dates of development-related City Code and fee changes](#) (Resolution)

**Document number:** 37577

**Introduced by:** Commissioner Dan Ryan; Commissioner Mingus Mapps

**Bureau:** Development Services (BDS); Planning and Sustainability

**Time requested:** 20 minutes

**Disposition:** Adopted

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

411

[Authorize Price Agreements for On-Call Construction Services for Building Alteration and Repair Services to Owen & Owen Builders Inc., 3 Diamond Construction, LLC, and Bratton Construction, LLC for \\$1,000,000 per Price Agreement \(Procurement Report - ITB No. 00001780\)](#) (Report)

**Document number:** 411-2022

**Introduced by:** Mayor Ted Wheeler

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

**Time requested:** 15 minutes

**Disposition:** Accepted - Prepare Contract

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

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

412

[\\*Pay settlement of the Estate of Sandra Bosch negligence wrongful death lawsuit for \\$125,000 involving the Portland Bureau of Transportation](#) (Emergency Ordinance)

**Document number:** 190820

**Introduced by:** Mayor Ted Wheeler

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

**Time requested:** 15 minutes

**Disposition:** Passed

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

413

[Amend Council Organization and Procedure Code to clarify attendance by electronic communication and meeting location \(repeal Code Section 3.02.025 and amend Code Section 3.02.026\)](#) (Ordinance)

**Document number:** 190839

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Management and Finance

**Time requested:** 10 minutes

**Disposition:** Passed to second reading

Passed to second reading May 25, 2022 at 9:30 a.m.

414

[Authorize borrowings of not more than \\$45,000,000 in anticipation of the Fire and Police Disability and Retirement Fund levy for FY 2022-23](#) (Ordinance)

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Debt Management and Investor Relations; Management and Finance

**Time requested:** 15 minutes

Item 414 has been requested to be referred to Mayor Wheeler's Office.

**Disposition:** Referred to Commissioner of Finance and Administration

415

[Amend the FY 2021-22 Revised Budget for Public Safety Support Specialist program expansion](#) (Ordinance)

**Document number:** 190821

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Community Safety Division; Police

Second reading agenda item 382.

**Disposition:** Passed

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

416

[Amend permit fee schedules for building, electrical, land use services, mechanical, enforcement, plumbing, signs, site development, and land use services fee schedule for the Hearings Office](#) (Ordinance)

**Document number:** 190822

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Development Services (BDS)

Second reading agenda item 372.

**Disposition:** Passed As Amended

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

417

[Revise transportation fees, rates and charges for FY 2022-23, amend Transportation Fee Schedule, and fix an effective date \(amend TRN 3.450\)](#) (Ordinance)

**Document number:** 190840

**Introduced by:** Former Commissioner Jo Ann Hardesty

**Bureau:** Transportation

**Time requested:** 15 minutes

**Disposition:** Passed to second reading

Passed to second reading May 25, 2022 at 9:30 a.m.

418

[Declare property located at 9442 NE 13th Ave as surplus real property and authorize the Director of the Bureau of Environmental Services to dispose of the property by public sale](#) (Ordinance)

**Document number:** 190823

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Environmental Services

Second reading agenda item 384.

**Disposition:** Passed

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

419

[Approve the designation of nine trees as City of Portland Heritage Trees and remove the Heritage Tree designation from five trees](#) (Ordinance)

**Document number:** 190845

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Parks & Recreation

**Time requested:** 20 minutes

**Disposition:** Passed to second reading

Passed to second reading May 25, 2022 at 9:30 a.m.

420

[Amend fee schedule for tree permits](#) (Ordinance)

**Document number:** 190824

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Parks & Recreation

Second reading agenda item 386.

**Disposition:** Passed

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

## Four-Fifths Agenda

420 - 1

[\\*Authorize Intergovernmental Agreement with Oregon Department of Transportation for the Central Systemic Signal and Bike/Ped Illumination Project in the amount of \\$62,068](#) (Emergency Ordinance)

**Document number:** 190825

**Introduced by:** Former Commissioner Jo Ann Hardesty

**Bureau:** Transportation

**Time requested:** 10 minutes

**Disposition:** Passed

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

### Wednesday, May 18, 2022 2:00 pm

---

**Session Status:** Recessed

**Council in Attendance:** Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Former Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Mayor Wheeler presided. Commissioner Rubio presided at 3:00 p.m.

Officers in attendance: Lauren King, Deputy City Attorney; Keelan McClymont, Council Clerk

Council recessed at 2:10 p.m. and reconvened at 3:00 p.m.

Council recessed at 4:08 p.m.

## Time Certain

421

[Adopt the Environmental Overlay Zone Map Correction Project, amend Title 33, Zoning Maps, Natural Resource Inventory, and supersede and replace specified natural resource protection plans \(amend Ordinance Nos. 164472, 163770, 164517, 165002, 167293, 166572, 168154, 168699, 171740, and 172421\)](#) (Ordinance)

**Document number:** 190834

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Planning and Sustainability

**Time certain:** 2:00 pm

**Time requested:** 1 hour

Previous agenda item 284.

**Disposition:** Passed to second reading as amended

Passed to second reading May 25, 2022 at 10:10 a.m. Time Certain as amended

422

[Revise solid waste and recycling rates and fees for franchised residential collection and the commercial tonnage fee effective July 1, 2022 \(amend Code Chapter 17.102\)](#)(Ordinance)

**Document number:** 190844

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Planning and Sustainability

**Time certain:** 3:00 pm

**Time requested:** 90 minutes (1 of 3)

**Disposition:** Passed to second reading

Passed to second reading May 25, 2022 at 9:30 a.m.

423

[Authorize the rates and charges for water and water-related services beginning July 1, 2022, to June 30, 2023 and fix an effective date](#) (Ordinance)

**Document number:** 190842

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Water

**Time certain:** 3:00 pm

**Time requested:** 90 minutes (2 of 3)

**Disposition:** Passed to second reading

Passed to second reading May 25, 2022 at 9:30 a.m.

424

[Revise sewer and stormwater rates, charges and fees in accordance with the Fiscal Year 2022-23 Sewer User Rate Study](#) (Ordinance)

**Document number:** 190843

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Environmental Services

**Time certain:** 3:00 pm

**Time requested:** 90 minutes (3 of 3)

**Disposition:** Passed to second reading

Passed to second reading May 25, 2022 at 9:30 a.m.

## **Thursday, May 19, 2022 2:00 pm**

---

**Session Status:** Adjourned

**Council in Attendance:** Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Commissioner Mingus Mapps

Mayor Wheeler presided.

Officers in attendance: Lauren King, Deputy City Attorney; Megan Lehman, Acting Council Clerk

Council adjourned at 3:02 p.m.

## Time Certain

425

[\\*Amend the Comprehensive Plan, Zoning Map, and Title 33 Planning and Zoning to comply with House Bill 2001 and Senate Bill 458 \(amend Code Title 33 and the Portland Comprehensive Plan and zoning maps\)](#) (Emergency Ordinance)

**Document number:** 190851

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Planning and Sustainability

**Time certain:** 2:00 pm

**Time requested:** 2 hours

Previous agenda item 338.

Information found at [www.portland.gov/bps/planning/rip2](http://www.portland.gov/bps/planning/rip2)

**Disposition:** Continued As Amended

Continued to June 1, 2022 at 9:45 a.m. Time Certain As Amended.

Oral and written record are closed.

Motion to approve technical amendments A-J as a package to clarify and correct errors: Moved by Wheeler and seconded by Rubio. (Y-4)

Motion to increase the total amount of floor area for fourplexes: Moved by Wheeler and seconded by Ryan. (Y-4)

Motion to remove front lot line requirement: Moved by Wheeler and seconded by Ryan. (Y-4)

Motion to add flexibility for deeper affordability bonus: Moved by Wheeler and seconded by Rubio. (Y-4)

## 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.

May 18, 2022            9:30 a.m.

**Wheeler:** Are we good? All right. So people can hear me? Mingus can you hear me?

Thank you, Commissioner. Let's start this again. Good morning everybody this is the May 18th morning session of the Portland City Council. Please call roll. [Roll called]

**Wheeler:** First, I'd like to congratulate all of those who ran for public offices had yesterday's primary, including our colleagues. Commissioner Ryan, congratulations on your reelection, Commissioner Hardesty, congratulations to you and looks like you'll to be going to November and congratulations to you. And to everybody out there, who did not win your race, thank you. For stepping forward and participating it's not an easy thing to run for public office. And that is what a democracy demands. Is that people step forward, with ideas, and take that risk so for all of you who did so, congratulations and thank you for doing so. I want to acknowledge this is an historically significant date in the history of the northwest. This May 18th, it's about the 42nd anniversary of the eruption of mount St. Helens. I was but a wee lad which I was outside watching these billowing clouds and I'm a kid but can check that out of bucket list, I've seen a volcano erupting and I just didn't think it would be in the backyard. With that, colleagues we'll turn this over to legal counsel for rules of order and decorum. And it has to be read poetically, with feeling.

**Matt Farley:** You know I always try. Good morning, welcome to city council, holding hybrid public meetings with limited in person attendance in addition to electronic

attendance, if you wish to testify in person or virtually you must sign up in advance by visiting council agenda on the clerk website. [Portland.oregon.gov](http://Portland.oregon.gov). You may sign up for communications to speak about any subject and sign up for public testimony on resolution, reports or first readings of ordinances. In person testimony may occur from one of several locations including city council chambers and love joy room in city hall, and Portland room. And written testimony may be submitted at cc testimony at [Portland.oregon.gov](http://Portland.oregon.gov). When testifying please state your name, address is not necessary. And please disclose if you're a lobbyist, if representing an organization, please identify it. The presiding officer serves order and decorum at city council meetings so everyone can feel welcome, comfortable, respected and safe. The presiding officer determines length of testimony. Individuals have three minutes to testify unless otherwise state and a timer will indicate when your time is done. Disruptive conduct such as shouting or interrupting other testimony or deliberations will not allow. If already disruptions a warning will be given that further disruption may result in the person ejected from the remainder of the meeting the person failing to leave subject to arrest for trespass and council may take a short recess and reconvene, virtually. Thank you.

**Wheeler:** Thank you, very much and we appreciate that. First up, Keelan is communications. First individual, please, item 389.

**Clerk:** Request of Sarah Hanneken regarding ban on the sale of foie gras.

**Sarah Hanneken:** Good morning, I am a Portland resident and attorney. Came from you to introduce the topic of foie gras on grounds of environmental concerns, environmental concerns and public health concerns and the list goes on. I acknowledge the city is feel dealing with many complicated, multi factorial issues that take up bandwidth, such as houselessness, gun violence, etc. But this is not one of those issues this is straight forward, uncontroversial, and as have you heard from Portland residents of Portland residents taking time out of their busy mornings to emphasize the importance of the issue to them this, is a priority that can be done with relative ease and it's time it

done that, it gets done. And these individuals are exercising what a democracy demands, to use mayor wheeler's words from his opening remarks, is time to show that democracy works and when there is an issue like foie gras that can be dealt with relative ease it's time to do so and I want to acknowledge incredible work of some of your staff that have been looking into how to get this done. There has been effort but it your responsibility at the end of the day to make sure this gets across the finish line that. Is what I am here, today, to encourage and let's show the world Portland is a commission compassionate place and citizens shup step up to make something happen, uncontroversial and straight forward it can get done in our city. I thank you for your time and consideration of the issue.

**Wheeler:** Next individual, item 390.

**Clerk:** Request of Mary Ann Schwab as a thank you to those who kept the city together during the pandemic.

**Wheeler:** Good morning Mary Ann. It's nice to see you.

**Mary Ann Schwab:** Good morning. Everyone, what an intro to my communication now. Thank you. Okay. For the record my name is Mary Ann Schwab I lived in sunny side neighborhood since 1971. I love Sunnyside and the city and you know how much time very put into the city. I'd like to start by saying with the pandemic, I would not hear one you're saying with these masks. There are people hearing impair that had read lips. And when you're this far from your public could you please remove them? I told that to our representative in Washington, D.C., when he was outside of the library doing the same thing. He did take it off and we can hear what he was saying. Part of communication is knowing not everyone has the same way of listening and communicating. So if you could, can I ask you to take them off or does Governor Brown really insist on you wearing them in this public building that is empty? I'm the only one here. Does anyone have a problem if asking you to take off their mask? So let's start, all things are possible to those who believe with mark 2: 23. And I really feel I want to say,

thank you, for the city that works and that is starting with John Dutt. They rate the gorilla glue for holding the city together. Their staff answered every phone call and they're well trained to his work, 311 is for general questions and anyone needing help with homeless and physical needs and housing is 211. To his credit, his staff are well trained and they know exactly how to route every phone call. He was the one that broke how many months people didn't get their unemployment. People don't know city employees were ten days with no pay. His referral was on Friday. I got a hold of him Thursday morning he said I can see the paper work this afternoon or wait until Monday. People didn't realize, if you didn't file that unemployment paper between Sunday and midnight, Saturday there was no recourse and you lost a week's wages. Waits to the point someone I know was ready to cash in a cd. No paycheck for nine weeks. Well, he looked at the paper work and worked in that department years ago. And the person in charge didn't take one minute to look at the paper work. The first question, are you looking for work? Well, no. Can I skip that thing? They said no. And so that way no, one got paid. Then, our governor and because of the pandemic, everybody that knew their job they're sitting home, working from home. Can they work from home? Nothing was done. They had skill to the job and get paychecks to people that need them. Even those at goodwill, that HR shut down no one helped them with paper work. Well, he broke that long john. The following Saturday there was a big meeting and the person in charge no longer works for the state. That is the person I want to say thank you. Second is fire department who are constantly, especially station nine, has been to the Sunnyside environmental school repeatedly, putting out butane tanks, bonfires and worst of all they did is when mentally ill woman was dancing with a machete. And saying the neighbors are going to be upset. She hit him from the nose down to his ear that. Woman is still out there in another park. So with that is whomever, we have serious problems to try to get tents and housing. And let's go back to prosper Portland. One minute.

**Wheeler:** Mary Ann, I'm sorry. You're a minute over, thank you for your testimony. We appreciate.

**Schwab:** Thank you for letting me. Thank you for taking off your masks to be heard.

**Wheeler:** Thank you. Mary Ann just for the record the reason I'm wearing a mask today, I'm sure everybody has individual reasons - I refer to you the screen. We have closed captioning available for people who need it. Thank you. I'm wearing my mask - Thank you, Mary Ann your time is up. Next individual, please, item 391.

**Clerk:** Request of Dani Rukin to address council regarding fur sale ban.

**Dani Rukin:** Good morning. Good morning mayor wheeler and city Commissioners can you all hear me?

**Wheeler:** Loud and clear, you sound great.

**Rukin:** Thanks. Good morning I'm here today, once again, to, so I'm Dani Rukin, with compassionate PDX, a grass roots group for political change for nonhuman animals I'm asking to you pass a ban on the sale of fur and foie gras the city council did a good move by prohibiting the sale of fire works and reducing effects on companion animals and wildlife. Just as cost outweigh benefits it's no longer justifiable to continue the same goes for the sale of fur and foie gras, both luxury items that pollute the environment, endanger human health and inflict cruelty on animals. It was encouraging to hear Commissioners Rubio and Mapps were interested in passing a ban on the sale of foie gras, the bloated diseased liver of a duck or goose, force fed, very violent and was of the animal cruelty, environmental impact and huge health risks involved in had the foie gras industry the sale or production of foie gras has been banned in new york city and California we urge Portland city council to follow suit. In the state of California, the whole state of California banned foie gras and fur and before banning fur it started with the city of west Hollywood banned fur, then Berkeley and San Francisco, then, Los Angeles. And then, the state went and that is really, we want Portland to set an example. It's, they're both such violent industries and in 2019 we started fur ban campaign in

January, 2019 launched it. And the same reasons we were given then, are the same reasons that it wasn't the right time and as we know passing the ban won't take away from port lance of tackling Portland's humanitarian crisis. It reenforces our reputation is a city known for it's commitment to fairness, equality and justice for all. The homelessness and gun violence are issues that are going to take a while. There is no better time to do the right thing, than now. And I want to say Lewis and Clark's legal clinic, very 30 seconds, thank you. That Lewis & Clark legal clinic did the service of doing a legal analysis of a legislative legal analysis that gave recommendations for city Commissioners and mayor to look at where the fur ban could go in city code and they have, we have attorneys on our coalition that would be willing to meet with the staff and city attorney and work through road blocks and enforcement, thank you for your time.

**Wheeler:** Thank you. Appreciate you're being here. Next individual, three nine two.

**Clerk:** Request of Matthew Cooper to address council regarding fur sale ban.

**Matthew Cooper:** Good morning and thank you for this opportunity to speak before you today on this rainy Portland morning. My name is Matthew Cooper a resident of southeast Portland and organizer of compassionate PDX. You've been hearing from many residents in support of a ban on fur and foie gras about environmental cruelty, and environmental impact and threats to public health. I want to share about personal perspective why I believe Portland is the city to pass these bans. I grew up in new jersey and moved to Portland seven years ago. I wanted to live somewhere truly progressive, I love it here an feel I belong here, very attended many different demonstrations offer the years for women rights, trans rights, climate change, immigration reform, etc. Now work the rise of right wing extremism, Portland seems like a leftist oasis. And we're in the perfect, we're facing challenges till but we acknowledge that these are issues and I lost my little brother to heroin, five years ago. Last Friday would have been his 31 birthday. He'll be forever 26 and when I see people living on the street I see my brother in them. And I do not believe, or live in a bubble. I'm not oblivious to suffering of humans and as

an animal rights activist I'm in the unfamiliar with people questioning whether it's a priority. And I do not think about animal rights and addendum and nice to have. I believe animal rights can help informants substantiate human rights establishing a more comprehensive sense of justice and compassion. And these bans demonstrate a major step forward for animals in the region. I know Portland is the right city. I don't pretend to understand complexities of running a city, it seems like relative to other issues the city is facing this would be quick and easy. Thank you for your time, please consider this issue.

**Wheeler:** Thank you, Matthew. Keelan I believe last individual? For this morning? 393.

**Clerk:** Request of Danny Page to address council regarding participatory budgeting in fy22, 23 budget.

**Wheeler:** Good morning.

**Danny Page:** Good morning mayor wheeler an Portland city council. My name Danny Page, a 17-year-old student organizer, Grant high school student, a member of sun rise PDX, policy committee member under board of education and I'm serving as youth consultant to youth voice, youth vote participatory budgeting. Known as YV squared. I joined in requesting Portland city council members to dedicate \$2 million of ARPA funds to YV squared to send a second cycle of participatory budgeting for 2023-2024 cycle. My current role as a policy member with Portland public school, I work with community, district staff, and board members and students with policy change. And with the pleasure of the Portland students and advocating for strong policies. You might have seen my work in passing the climate crisis response policy, coined CCRP. Coining it one of the boldest permit policies for a school district to take head on in tackling climate crisis this, is the work I do. I support bold community projects that serve our community and seek budgeting as no different. And there is youth vote to support you and resources don't have access to, allowing us to flourish as leaders exceeding justice, working, rosewood initiative and learn and participatory budgeting oregon and

Commissioner Hardesty how do you feel about bringing it to Portland? And advise youth to come out and delay. I'm happy to say I'm one of those youth. And what changes they want see and have action done. And doing so, it will actually rate relationships between us and officials. And this will benefit future generations for excluding youth from the process, though youth are most often impacted with decisions we make. And we're ensuring to create a long-lasting function for youth. Thank you for listening. Thank you for your time.

**Wheeler:** Thank you. We appreciate your being here to testify this morning. And next up, consent agenda. Have any items been pulled off?

**Clerk:** Yes. 397 and 409.

**Wheeler:** Please call roll on remainder of the consent agenda

**Clerk:** [roll call]

**Wheeler:** Adopted and first time certain item, please is three the four.

**Clerk:** City council to convene as Prosper Portland to approve fy2022-23 budget.

**Wheeler:** Colleagues this item is and I'm convening city council as the budget committee, Keelan could you please call roll?

**Clerk:** Ryan?

**Wheeler:** No. We're reconvening as prosper Portland budget committee.

**Clerk:** [roll call]

**Wheeler:** And as you know, May 12th we have heard a presentation of Chair Cruz and as well as leadership team. Following receipt of the proposed budget and hearing on May 12th, budget committee received approved memo and exhibit a to resolution 7451 May 13th. The committee then received a revised memo and exhibit a to resolution 7451 May 17th that substitutes the exhibit A earlier received on May 13th. And change included in the revised memo in exhibit A aligned prosper Portland budget to city of Portland budget and the memo identifies following changes to prosper Portland general fund from proposed budget. 3.5 million, 1 time, general fund resources, to support

demolition of the current Broadway corridor for site prep for affordable housing project. \$600,000 for general resources for repair grants to help small businesses, and \$1 million for one-time general fund resources to support an east Portland investment strategy. I'm making a motion to accept the revised change memo to resolution 7451. Can I please get a second.

**Rubio:** Second.

**Hardesty:** So moved.

**Wheeler:** I'll give that one to Commissioner Rubio. I heard it first. Commissioner Rubio, seconds. Please call roll on the motion.

**Clerk:** [roll call]

**Wheeler:** Amendment is adopted. I would now ask for whether or not there are any other individuals amendments to the memo from the Commissioners. Seeing none, I will ask the clerk is there any public testimony on this item?

**Clerk:** We are one person signed up. Ashley Henry.

**Wheeler:** Good morning. She is unmuted?.

**Clerk:** Ashley in are you able to unmute?

**Ashley Henry:** Yes. I was trying to start video and switched back. Can you hear me now?

**Wheeler:** Now, we can.

**Henry:** Thank you. Good morning Commissioners thank you for the opportunity to provide public testimony and I realize that this opportunity to influence the outcome of this vote passed and I did want to take an opportunity to share with you a little bit about the civic involvement I have had personally as well as others serving on the budget committee. My cat also wants to participate this morning and she's opinionated by small business recovery and I wanted to reflect, also on an article that OPB published about people hating Portland. And people feeling really cynical about the city. And so, I wanted to offer just a vignette for you about my experience working for hours, and

hours, with the city budget committee prosper Portland team is incredible, incredibly professional, respectful, they listen. To diverse opinions, I served on the community budget committee with representatives from APANO, representatives from Columbia, the northeast Columbia corridor association, and a diverse group of folks representing neighborhood business districts, and district around the city. And the feed back that we provided, I will note that Portland has a robust civic participation and yet, at the end of the day, awful those hours are called into question when things like a \$10 million small business stabilization fund is slung to four \$ million and it does cause he to question what this worth my time? To spend all of those hours not only volunteering to being in meetings but to convey to members that civic engagement matters because the message I have learned from that is that it didn't matter. And that I would have been better off raising money to pay a professional lobbyist to influence the outcome of that budget. It brings me to tears because I have members who have pivoted many times to try to keep their businesses open and they're in the feeling supported by city council now. And I'm in the going to continue because I'm very emotional about this but I just want to reflect back to you the way that this budget process works reenforces cynicism and the doubt people who are genuinely committed to civic participation want to [inaudible]. Thank you.

**Wheeler:** Thank you, Ashley for your perspective. I'm sorry the budget did not turn out the way you'd hoped and expected. And I do want to acknowledge the tremendous amount of time and engagement you and members spent on this budget and on a wide variety. Of other issues I bet operate feedback from your members on a host of issues impacting small business as considers the city. And can assure you high level demands on the budget massively exceeded resources that were available. I wish we could have done better in terms of services not only for small business activation, support and graffiti abatement and damage repairs but I wish we had more resources for big issues I hear regularly. How do we address issues like litter and graffiti issues that waned across

the city? They're all white-hot priorities and I believe counsel about the best we could to weigh and balance those priorities. I wish it had been different and we hadn't experienced what we have experienced over two and a half years but we did and I understand as local elected officials I talked to officials across the country. This is a time when people are really pissed off and that anger and frustration, and I'll use the word fear, there is fear out there is focused on local government and local government leaders and I feel it. And I understand it. I hope you won't see this as a reason for cynicism and I hope you'll continue to do what I have known you to do for many years, lean in and work with us, keep us informed on what you and your members are experiencing at street level and we'll try to do the best we can. I'm sorry. It didn't measure up to your hopes this time around and I understand that. Your input is wanted and needed. I just wanted you to know that, personally. I've known you for a long time.

**Henry:** If I can respond just 20 seconds to your reply. Mayor. And just to share with the council we really are at a cross roads in our city and unlike Seattle and San Francisco that have clearly gone a particular direction with loss of small businesses Portland still has a moment in time to change its approach. I encourage to you spend time talking about how you can translate slogans and rhetoric into action that will help those small businesses because we seriously do not want to see our neighborhood business districts go the way of other large urban cities, that is what makes Portland, Portland and that is what attracts advisors and tourism really depends on that and the quality of life many companies depend on depends on the vie brassy of our iconic small business districts. I encourage you to spend more time with our members, Mr. Mayor and others I welcome the opportunity to continue work we've started with your team, at prosper.

**Wheeler:** I do spend a lot of time with small business owners and operators and to be able to meet and hear concerns that I will take you up on that, I appreciate the offer, thank you. Is there any more public testimony?

**Clerk:** No one, mayor.

**Wheeler:** At this point can we please call the role on the item as amended?

**Clerk:** Ryan?

**Ryan:** Yes. Colleagues I'm pleased to have champion additional funding in this budget to support and relief to small businesses from impacts of vandalism. I visited with many business owners severely impacted by vandalism, break ins and security concerns and went on a walking tour with Sydney, Mark Wells and Steve from downtown and we visited draining of lake flowers, grits and gravy, court blocks under new four men and ace hotel, Portland. And I listened to their experiences and concerns and I learned about hurdles they overcame. Their stories inspired me and motivated me. And thank you for supporting small businesses with these additional allocations. I vote aye.

**Clerk:** Hardesty?

**Hardesty:** I also wanted to just appreciate Ashley Henry's conversation and experience on this particular budget process. I look forward to us getting audits and determining who is benefitting from economic development in the city of Portland? We can't keep doing what we've done and hi we're going to get different outcomes I look for to digging into audits and figuring out what economic development looks like for the city as we move forward. I'm happy to vote aye on had budget and continue process of making sure all of us get to come back from the economic devastation we've experienced. I vote aye.

**Clerk:** Mapps?

**Mapps:** Mr. Mayor and colleagues, I'm glad to join you in voting aye and here is why. The budget invests in small businesses. And in BIPOC businesses and in our beloved neighborhood business districts and this budget will help small businesses struggling to recover from covid, keep doors open and help small businesses replace a broken window or repaint a wall tagged with graffiti and this and the office of film and music which will be an incubator and champion for community events an movie industry an concerts and I'd like to thank my chief of staff for her leadership in making this a reality.

I believe this is the steps Portland needs to take to make Portland a better place to start and grow a business. For these reasons and more I'm glad to vote aye on prosper Portland's budget. Thank you.

**Clerk:** Rubio?

**Rubio:** I want to remember what is important to small businesses so thank you, Ashley. And after a year I am confident in their ability to help us navigate this next year which will be a critical time for organization and the city as we emerge on the other side of the pandemic. And it's also a year in which we'll be looking to determine what we want our city economic development rule to look like in this next generation and I'm interested in these conversations as well as steps and work happening that the fact black and other Portlanders of color have faced again irrational economic exclusion and thank you placement and to our testimony we have heard very interested in increased small businesses and district support and city role in these things and I want to acknowledge the leadership of Kimberly for keeping track of issues and grateful for stake holders and so for these reasons I'm happy to vote aye.

**Clerk:** Wheeler.

**Wheeler:** Creating a greater shared prosperity remains a top priority in the city not just for me and the city council, but indeed for the city. And prosper Portland continues to play what I think is a critical role in equitable and economic recovery and growth and the resources on this budget will fund increased access to stability and support for small businesses as well as vibrant commercial districts and facilitation of an attractive environment for trade and investment. I want to commend and thank chair Cruz for the board and team to achieve more shared prosperity in the city. And last, but not least, I did appreciate remarks Ashley made and a free with her on a important point, is that we're at an important inflexion point in the city and can recover or language and recovery will not be dependent singularly on a budget or city council but up to us as residents of the city. Do we support small businesses? Or don't we? And so I encourage

people, buy local get out and support small businesses in your neighborhood. Go out, introduce yourself, buy product, go to the restaurant, whatever is being offered and let our location where small business owners know what we believe in the future of the city and we will not allow ourselves to be defined by others. Whether it's fox news, someone never been to the city of Portland or a naysayer, there are problems and with clear eyes and we're address and focused on them. And it's dependent upon us. We, do we believe in the future of the city or don't we? And so, I will ask all of us, let's keep leaning in. And I'm seeing strong signs of recovery. And of improvement. And across the board, let's keep focused on success in the future. I vote aye. Budget is approved. Next item.

**Hardesty:** Mayor do we are to close prosper budget hearing?

**Wheeler:** I think I did, but we're officially closed. Come back, later what? I did. What do you need?

**Clerk:** We're just shy of the time certain time for the next one.

**Wheeler:** Oh. Good call. Okay. So we'll move to regular agenda, please. I didn't rehearse this. Sorry. There it is. 410.

**Clerk:** Align effective dates of development related city code and fee changes.

**Wheeler:** Commissioner Ryan.

**Ryan:** Hello, colleagues permitting is an east central city service and without an effective accessible customer friendly and high quality process we'll continue to struggle to revitalize our city and you recall in January, the permit improvement task force presented with you recommendations for development and Commissioner Mapps and are showing a resolution endorsed by the tag task force and submitted to several stake holder groups for consideration and approval. I want to thank key staff including Kimberly talent, Adrian lone from bps and Donnie Oliveira working with Terri Theisen the manager and senior policy advisor on this resolution of stream line timing of when code and fee changes are brought for approval. Without the permit improvement this item would not have been in council today. Thank you. We've been hearing about this, I

know since I got on counsel about the sequencing and timing. And I want to hand this over to my colleague. Commissioner Mapps will hand it over to Donnie, Shannon and Terri to share more about the resolution and impact. Please take it away, Commissioner Mapps.

**Mapps:** Thank you, Commissioner Ryan. And colleagues ordinance is a first in the series of good government reforms to come out of the permit task force, Commissioner Ryan and I have co-chaired over the past year. And the perp to make our permitting process work better, and efficient and user-friendly process is important it's critical to the growth of the city and to grow our city, town and grow our economy we must build more houses, we must build more commercial spaces and we must build better infrastructure every building project in Portland begins with a permit and the permitting process is broken. Portlanders consistently tell us Portland's systems are too complicated, too expensive, and too slow. And over the next year, the permit reform task force chaired by Commissioner Ryan and I will unveil as are of proposed reforms designed to fix that. And today, we'll learn about the first of the reforms, the permits task force recommends this council implements a series of changes to our permitting making it easier for our customers to navigate our permitting systems, here, to tell us more we are Terri Theisen and Donnie Oliveira, and Shannon Carney, senior policy advisor in my office. And Terri, Donnie, Shannon, welcome.

**Terri Theisen:** Thank you. Thank you Commissioner Mapps and Ryan, good morning and there is a short presentation to share with you to provide back ground, context, and expected impact for the resolution for your consideration. And a task force has been working on several initiatives which are focused on data and performic metrics and resolution we're presenting to you today is one of outcomes of the work. You can advance the slide, please. One of the guide posts the task force used as a north star is march, 2021 audit. Several recommendations highlighted in audit and resolution we bring to you today has been identified over the years in form to develop a resolution

relatively easy to implement and create a more predictable process for customers. And as mentioned includes bureau directors and leaders as well as representatives from the beltman community, Commissioner offices and mayor's office and this was also managed with staff to ensure resolution would have the intended impact. And will address all lee of the goals, reducing time line, improving customer service, and improving performance management. And I would now like to hand over to my colleague to share more about the permitting process and customer experience.

**Shannon Carney:** Thank you and it's great to be here, and I don't know, are we on this slide? Perfect, okay. So, just to say a few words, focuses on a second goal about developing experience and what we're proposing is a policy that changes take effect at the beginning of the fiscal year, and there still changes currently. And I should note here, that changes can still be considered by counsel at any time in case you're worried about how these agendas might look and the resolution really is focused on when changes take effect rather than when adopted. There is some fine print at the bottom and policy does allow for exemptions and situations that require more swift actions so whether for emergencies or legal or compliance or if they're just typical in nature and won't have a large impact on so we see this as a common sense change will create a more predictable experience, and it helps ensure the city doing our part to help our customers improve their initial submissions which has been a big focus for the task force and changes with result in delays as projects are passed back and forth and on the front end it might look like more robust community outrage and later like bureaus working together to provide training for customers, next slide. And thank you, perfect so we see this proposal as a win, win. We'll expect benefits to flow to customers and think this will be a better process for development review staff handling just incredible amount of applications and our bureaus to be more efficient and so, whether updating communication materials, or, just planning on whether they need more staff in the

office. And the more predictable work plow should be able to enable the city to plan ahead. And with that I'm passing it off to Donnie for next slide.

**Donnie Oliveira:** Thank you. I want to acknowledge Terri and Shannons's leadership and they're herding cats with a bunch of bureaus to navigate so thank you for their steady hand in this resolution. Thank you. Commissioners in front of you to take action on city code amendments and policy updates and make no mistake, it's important work and necessary for growing cities to be reflecting needs of communities and changing the environment we work in and the way we've been going about it has been sporadic and this shows the way to take code and snap shot here is that these are unpredictable and make develop difficult a long with frustrations our community has are staff always giving us feedback they don't have time to get up to speed on nuances of the codes. And slows down process. In 2016 in response of this, bps and bds set a date to give our staff time to adopt land use code. It's a work in progress and we're trying to standardize dates so reviewers can have time to get up to speed and maps could be updated and title land use code to be updated and we're here today to codify those dates and increase types included, including adding a standardized development start date of July 1st for fee setting. Next slide, please. And by doing that, we hope, we can set clear standards and predictability in the permit review process. So if you look at this, this is what it would look like if it had an effective start date back then, there confusion but it not always March 1st and October give and July 1st but this would go a long way for stepping up owe speed and developers being prepared to tackle the law, next slide, please. So already things we've been doing with bps and bds and these are development standards of title 33 things like neighborhood contact and are come to you recently like not all three will land there. There will be new subjects added as part of the resolution and things related to process and restrictions will be added and erosion control and project works required and that is necessary, next slide, please. So here an example so inclusionary housing and development standards require by state law and

these are things we're doing to clean up code and we have a budget resource to clean up our code and then, again, changes we'll be working on that such as noise violations and title 3s and thank you charges to sanitary system and those services likely not be a part of the resolution. Last slide so I'm going to acknowledge that this not a complete grabbing code into two effective dates but it's an important step and we'll be able to evaluate and grow and pivot. And it's need and we hope this is the first of many improvements still to come. Thank you

**Wheeler:** Does that complete your presentation?

**Theisen:** Thank you, thank you. Questions?

**Wheeler:** Colleagues any questions at this particular juncture? I ask people to use the raise hand function. Do we are testimony?

**Clerk:** No one signed up.

**Wheeler:** Please call roll.

**Clerk:** Ryan?

**Ryan:** Thank you, Terri and Shannon and Donnie. The task source set a vision and I'm thrilled to see our hard work coming to the dais this morning. Managing the city is one of the most essential services and a transition team will work with permitting staff to implemented work. And city council are excited to work to bill a high-quality system that sevens both our internal and external customers. Thank you, permitting staff from across all seven bureaus and customers have been patient and great to have staff from all offices in attendance at meetings, thank you, colleagues. And we'll continue to need all of you at the table as we continue creating this system change work together. I vote aye.

**Clerk:** Hardesty?

**Hardesty:** I want to appreciate Commissioner Ryan and Mapps. I think the last four mayors came in and fixed the writing process and I appreciate you taking on this task because it's a lot been fixed yet and is our hope we're head down the right path to have

a permitting system that will be fair and accessible to all that need it and I'm happy to vote aye and look forward to seeing whether or not we get it right. I vote aye.

**Clerk:** Mapps?

**Mapps:** Thank you, everyone who participated on the task force and I remind colleagues this is just the first of a series of reforms introducing over the course of several months and I'm this promotes economic prosperity here, for these reasons and more, I am glad to vote aye.

**Clerk:** Rubio?

**Rubio:** I want to thank my leagues for leadership and Terri and Shannon and Donnie, thank you for presenting and city staff that have built a strong collaborative process serving on this task force and to thank bds and bps in leadership for coming up with a proposal that has approval and support of all of the intersecting bureaus and it's important to recognize this will not just help our bureau staying consistent but help the public understand changes and there are transparencies and knowing what to expect and seeing what is ahead. This is an action making development permitting smoother for the community and I'm happy to vote aye.

**Clerk:** Wheeler?

**Wheeler:** This is great work and collaboration. Thank you. And to your staffs and bureau folks working on this. I love seeing this collaboration and this focus and you're delivering. I vote yes. I vote aye and resolution is adopted. Thank you for the great work. We look forward to seeing further reforms coming to council and I'm happy to support those as well, thank you, both. Next item please, 395. Proclamation.

**Clerk:** Proclaim May 21 to be kids to parks day.

**Wheeler:** Thank you, the national trust began celebrating kids to parks days, but we haven't celebrated since 2018 when Nick Fish was the Commissioner in charge of parks. And the purpose of the day is simple, to encourage kids to explore their parks and public lands and here, in Portland we've recognized accessibility key to fostering a deep

and lasting appreciation for our parks and recreation systems so we'll hear from parks board chair Bonnie Gee Yosick will speak about the underlying motivations but first hearing from Jeremy Robbins who will speak about ADA accessible playgrounds.

Jeremy?

**Jeremy Robbins:** Thank you, Commissioner Rubio and Mayor Wheeler. My name is Jeremy Robbins and I'm a member of the Portland accessibility advisory committee of. I'm a wheelchair user. We've seen playgrounds are more important now, than ever and where we can gather to build community and exercise our minds, and voices. An important part is reducing physical barriers to play in recreation and public spaces. As a member of the accessibility advisory committee I have had the opportunity to give feedback to PP&R on efforts to reduce barriers of the new capital projects and transition plan. And a good example in southwest Portland shows these efforts. So this destination joins the other playgrounds in north Portland, Gateway Discovery Park and I was able to tour the playground just before it happened and I want to highlight features that make a difference to people living with disabilities and families. There is an in-ground spinner allowing me to wheel on I got dizzy for the first time in my disabled life just like when I was a kid. I tried in-ground trampoline which was fun. The circulation system provides access to coolest features in the park. A big tower with slide. There are interactive sensory panels and a look out on top there. Is something to do for everyone on the way up and down. Another is a communication board with picture symbols that allows visitors with limited verbal skills and communication to talk with others in the park. These design features are significant in reducing barriers to play. And communicate that everybody welcome here. I look forward to seeing more barriers to play be move throughout our park system and I thank you PPR and city council for continued support and I'm pleased to celebrate Kids Park, Parks Day. Thank you, I'll now turn it over to the board chair.

**Bonnie Gee Yosick:** I'm excited to support kids in parks day. And interest there is extensive research showing engaging kids early in an active life style yields a lifetime of benefits and including decreased risk of diabetes, hypertension tension, heart disease, improve mental health and monetizable benefits of improved mental and physical health. As evidenced by the turn out of the Gabriel park there is strong support for our parks and there is much to celebrate. Bureau staff are preparing for a very busy summer, including a return to the popular lunch and play program, serving over 100,000 free meals at drop in playground sites throughout the city. And building on the pay what you can model to allow families to participate in programs regardless after built to pay. We have more to do. And records from CDC shows drowning is the second leading cause of death for population under 18 and those rates are highest for those what that traditionally do not access aquatic recreation. We need to do better to ensure all Portland children have access to life saving lessons and that is why we commit to a parks and recreations system to ensure every lay ground accessible, every child learns to appreciate nature responsibly and learns basic water safety. Thank you, back to you, Commissioner Rubio for closing comments.

**Rubio:** Thank you. For your important words today and service to the community. And in closing I want to stress two services Bonnie spoke about parks and recreation free summer lunch and play program has provide for kids and continuing to build on pay what you can model and reduce costs by inviting to pay what they can afford and then, whether they can register for activities and I stress these to make clear that we commit to this every day. Thank you for the opportunity to invite kids to our parks on Saturday thank you

**Wheeler:** Thank you, everybody for a operate presentation, Commissioner Mapps?.

**Mapps:** Mr. Mayor, colleagues I'd like to start today for thanking Commissioner Rubio and delighted to join you in claiming may 18th, 2022 to be kids to parks day here this Portland, oregon. Kids to parks day an invitation to kids with families to visit parks and

established this 2011 when I started taking my own kids to parks. And as every parent knows, our kids changing your relationship to the world, changing the way you think about politics, culture and the way you engage with your physical environment, and parenting changes your relationship to public parks. And if you are a new parent, who hasn't spent a lot of time and parks lately that, is about to change! Over the next several years you'll spend hundreds of hours at your local park. And Portland parents under had luck. Portland blessed with some had of the best kids parks in the nation. And which is why, I would like to take a moment to recognize and recommend some of my favorite kids' parks here in Portland. My kids and I enjoyed many pleasant afternoons at laurel Hearst park, Westmoreland park, forest park, lids park, Washington cully park, peninsula park and cuge park. I can list many more, because there are 279 parks and natural areas in Portland and 25 of these parks contain playground 0, colleagues for these reasons and more. I'm glad to join you in proclaiming May 18th, 2022 to be kids to parks day and encourage all Portlanders to mark this day by going to the park to play. Thank you.

**Wheeler:** Thank you, very good. Commissioner Ryan. Do you have a comment?

**Ryan:** Thank you Commissioner Rubio for bringing this forward this is an important proclamation, I enjoyed testimony from Jeremy, Bonnie and your words and focus on accessibility for those differently abled is a great Portland city. Here helping encouraging families and kids to spend more time outdoors and I want to thank park employees for providing a sanctuary it's been a life safer for many. Thank you.

**Wheeler:** Thank you. Commissioner Ryan. Commissioner Hardesty?

**Hardesty:** I want to appreciate Commissioner Rubio and her team for bringing this resolution forward. I especially appreciated focus on accessibility. I had the privilege of having been at gateway discovery park when it first opened and I remember going when there were no children in the space and looking at some of the things there and going I wonder what they use that for and I wonder what that is. And then, just hours later seeing giggly, happy kids using every piece of that area, in a way that brought joy

to folks who watched. And I also want to acknowledge that I actually live in a area that has a deficit of green spaces and opportunities for people to be able to walk easily to enjoy outside space. Today, I appreciate the expansion of parks, into east Portland I am very aware that we must do better and make sure that all kids and folks have access to green spaces, because that is what is going to help us keep the temperature down and as climate change continues to exacerbate inequities in east Portland. Thank you, Commissioner and team and I appreciate focus on accessibility, because everyone should be able to enjoy our green spaces in Portland. Thank you.

**Wheeler:** Thank you Commissioner Hardesty. Before I read proclamation I want to thank Commissioner Rubio's office for drafting this proclamation and national parks trust. I also would like to extend gratitude to Jeremy and Bonnie being with us, today and I want to thank people of Portland for showing up to our parks, rain or shine. And I learned the other day total square acreage of our parks is 11,000 acres which extraordinary. And indicated there are many playgrounds in parks. We're working hard to ensure they're accessible and I was smiling when Commissioner Mapps is saying if you're a new parent and haven't spent a lot of time in parks you're about to, that is oh, so true, Commissioner Mapps, thank you for pointing that out. I feel in the early years, my daughter and I lived in the parks. And it was always fun and those are still some of the greatest memories I have about her childhood. Parks are a treasured resource in the community and that is shown time and time again, whenever everything goes to ballot, that supports our parks, people step. Whereas, May 21, 2022 is the 12th kids to park day organized and launch by national park trust held on the third Saturday. May and kids to park day empowers kids and encourages families to get outdoors and visit parks, public lands and waters and whereas, we should encourage children to lead a more active life style to combat issues of childhood obesity, diabetes, hypertension and hyper cholesterol. It will broaden children's appreciation for nature and outdoors and will recognize the importance of rec creating responsibly and we're fortunate to have parks

and recreation opportunities that are connected to accessibility, and Gabriel park. Which opened last weekend. And whereas Portland parks and recreation adopted a pay for what you can model for enabling kids to access recreational programming at a cost that fits family needs. And Portland parks and recreation strives to meet access needs such as providing registration materials had 17 different languages. And will again offer free more lunch and play, which provides free nutritious meals for kids, about 100,000 each summer, along with games, art and sports activities to feel the summer meal gap. I do here by proclaim May 21, 2022 to be kids to park day and eastbound courage residents to recognize, celebrate and visit Portland's amazing accessible parks and recreation system not just May 21 but all days, thank you. We'll go back to regular agenda. There we are, 411.

**Clerk:** Authorize price agreements for building alteration and repair services to Owen and Owen builders inc. three diamond construction LLC for \$1 million per price agreement.

**Wheeler:** I apologize. I was just a little disorganized here were my paper work. Thank you. For that. And division of asset management services performs projects for buildings it owns improvements for tenants and manages construction projects for other bureau billings and report authorizes execution of three price agreements for on call construction services. And will allow division of asset management to bring on contractors to perform work quickly and lower cost, good morning Biko.

**Biko Taylor:** Good morning, I'm Biko Taylor, city chief procurement officer, august 18, 2021, city council approved ordinance 190528 on approval the project. And issued an invitation to bid on January 22, 2022, due date March 1, 2022. We received six bids in total. And lowest responsibility bidders were Owen and Owen incorporated, three diamond construction LLC and Bratton construction, LLC therefore, it is 1 million per price agreements for services intended to be used for projects whose scope and budget are not predetermined. Work under these parks agreements will be authorized via

written task orders when the projects are identified. And aspirational goal of 20% utilization of business enterprises certified by certification office of business inclusion and diversity or cobid office will apply and contractor as warded agreements have committed to make good faith efforts to achieve utilization goal. Each order will be negotiated to subcontract with cobid certified enterprises to the maximum extent possible. And Owen and Owen builders is located in Portland and state contractor and Caucasian owned firm and Three Diamond is a state cobid mbe contractor and Hispanic owned firm. I would like to point out the construction has passed experience working in the city, first parks and recreation and alterations repair and again, parks and recreation general carpentry contract. And lastly, brighten construction is located in Portland, Oregon and state there is major work for bureaus depending on needs and resources. If there are questions I can field those now.

**Wheeler:** Thank you, are there any questions? Any further discussion in please call roll.

**Clerk:** [roll call]

**Clerk:** Pay settlement for engineers' lawsuit for \$125,000 involving at Portland bureau of transportation.

**Wheeler:** This ordinance resolves a wrongful death lawsuit filed in March, 2020 and deputy senior attorney here to present the ordinance, welcome, Caroline and Rose.

**Caroline Turco:** Good morning and thank you. This case involved a fatal car accident on April 10, 2019, and accident caused when a driver named Jamie Mendoza Chavez struck and killed a woman named Sandra Bosch, walking across the street and Mr. Mendoza Chavez driving eastbound and struck, and killed her, Mr. Mendoza Chavez fled the scene but later arrested. The estate of Sandra Bosch sued Mr. Mendoza Chavez for causing the accident. The estate also sued the city, for causing the accident. The estate alleged that there had been other fatalities on that stretch of road and city should have prevented the death by conducting improvements to the road earlier. The parties went to a judicial settlement conference with judge Bottomley in March, and agreed to a settlement value

that represented what a jury might award in this case. The figure has been agreed to with the help of the judge and weighing possible outcomes and risks for both sides of trial. And I'm happy to answer questions you might have.

**Wheeler:** Colleagues any further questions? This is an emergency ordinance. Keelan, any testimony? Please call roll.

**Clerk:** [roll call]

**Hardesty:** My condolences to the family of Sandra Bosch. I vote aye.

**Rubio:** I'm glad the parties have come to resolution and I want to send my condolences to the family of miss Bosch. I vote aye.

**Clerk:** Wheeler?

**Wheeler:** Yes. A horrific tragedy, and I'm glad there was a resolution in this case. I want to thank the Bosch family and legal counsel and I want to thank judge Bottomley. I've known her many, many years. We went to high school together and I have watched her develop into an outstanding judge and appreciate efforts to mediate this and come up with a resolution everybody could agree with. Thank you for that. I vote aye. Ordinance is accepted. Approved. Item 413, please.

**Clerk:** Amend council organization and procedure code to clarify attendance by electronic communication and meeting location.

**Wheeler:** Colleagues this ordinance continues the process for council members to attend public meetings, either electrically or in person. Here to present on the ordinance is chief deputy city attorney, Linly Rees.

**Wheeler:** Good morning. Last June, counsel added code section 3.01 026 to allow to attend council meeting electric hi without having to identify an emergency exists. Code section set to expire June 30th. And as council meetings transitioned to hybrid model where members of the public can participate in person or local council offices expressed they continued flexibility for in person or electric attendance. Throughout the pandemic the to city demonstrated council meetings can be conducted effectively and efficiently

through participation by electronic means and this amendment allows for hybrid meetings to correspond in similar options for the public and are shown by planning covid case counts there is a need for flexibility to improve continuity of operations plans. If are you technical questions, Elyse Rosenberg here to answer questions. Thank you. .

**Wheeler:** Thank you, colleagues. Any colleagues? On this nonemergency ordinance? Any public testimony?

**Clerk:** One person signed up. Dan Handelman.

**Wheeler:** Very good name for the record, please?

**Clerk:** Dan, you're muted.

**Dan Handelman:** Mayor wheeler, can you hear me now?

**Wheeler:** Yes. Loud and clear, you sound great.

**Handelman:** Excellent. Thank you very much. Double unmuting problem, again. This dan handle man Portland cop wash. Portland cop watch comes to you with a concern about city code before you regarding virtual attendance policy. I apologize for not sending ahead of time for consideration but turning around a policy proposal between Friday morning and Tuesday afternoon is quite challenging. The issue that proposed revision as lou counsel to attend remotely and have a place the audience can hear you there. Nothing we can see to require remote access giving ability to speak during a meeting. We appreciate the hybrid model is remaining and include audience members cannot see one another, so council cannot see when there are groups of people attending if twinkling fingers or expressing support and people not attending in person who decide they want to testify once they hear the substance on an agenda time are hard-pressed they aren't already on the zoom call. Perhaps there can be made change to adapt these real-life issues into the hybrid world. Or maybe an environmental wash dozens of people using computers to join council meetings who wouldn't have otherwise attended it is convenient not to have to find one do you want to be part of the meeting. We appreciate recent changes that allow people to sign up until 30

minutes before council sessions begin which should help with an issue we raised earlier about agenda item such as one today but sometimes those have been introduced late on Tuesday evenings after registration is closed. So getting back to the main issue here. We hope that council will consider amending the code to ensure there are remote option force the public to testify to council in the virtual world. Thanks very much. You.

**Wheeler:** Thank you, dan. Appreciate it. This of course is a first reading. But before I do it I want to say we had more of an extended conversation about this in our first meeting a couple of weeks ago, first meeting coming back together in person. And as technically complex as it is to do a hybrid meeting, and I really want to thank the oena and technology folks for working through all the bugs to make sure this works effectively. It took quite a few weeks actually to get this to where it is today, this is a really good option for people who can't make it downtown to be here in the chamber physically. And there are many people in our community who may be elderly or struggle with some disabilities who find it much easier and more convenient to be able to testify remotely, and during the pandemic what we found was that more people and different people were participating in our council sessions because they knew that they didn't have to spend hours waiting for their opportunity to testify for two or three minutes. They could have it on in the background until their item was called and then move away from whatever else it was that they were doing and be able to participate, and also as a Commissioner I have found it useful to be able to either be here or remotely and I'll just be completely transparent, I was able to participate in council sessions when I was on vacation. I like to participate in council sessions and the fact that I didn't have to be physically here meant that there were council sessions I could participate in and deliberate on items even if I was not physically here at that particular time. And so this may had been one of the positive things that came out of the pandemic was the ability for people to participate no matter where they are. And so I appreciate everybody here at city hall who made this a possibility. Commissioner Ryan.

**Ryan:** Thank you. This might be a question for Linly with public health and with around covid constantly giving us updates to wear masks, do not how many people in the room does this give us enough flexibility to manage the reality that that will continue to be a part of our life maybe now for a while?

**Rees:** Yes.

**Ryan:** Is it written in a way that will give us that flexibility?

**Rees:** Yes. And that's really the intent is that we wouldn't want to have to wait until the governor declares another emergency and says we don't have to meet in person and our current code only allows to you do that if we meet every time before a council meeting say it's an emergency threatening public health and safety. And for example, if you are on vacation it's a little hard to argue that the threat to public health and safety. So it adds flexibility to make sure we all have been participating when you are available and want to.

**Ryan:** Okay. Thanks. I want to make sure I heard you say that.

**Wheeler:** Great. If there is no further discussion this is a first reading of nonemergency ordinance and it moves to second reading. Next item is 414 also nonemergency ordinance.

**Clerk:** Mayor, I think we are on 413.

**Wheeler:** Are we? Sorry.

**Clerk:** Oh, no, I am sorry.

**Wheeler:** Three historical events in one day. It doesn't happen often. [chuckling]

**Clerk:** 414. Authorized borrowings of not more than \$45 million in anticipation of the fire and police disability and retirement fund levy for the FY 2023.

**Wheeler:** Colleagues, there is an opportunity for this to be even better than what was proposed today so I am referring this back to my office and we will see this in the very near future with some improvements that you will be happy about. So I am referring you back to my office. 415.

**Clerk:** Amending revised budget for public safety support specialist program examination.

**Wheeler:** Colleagues, this is the second reading are of this nonemergency ordinance. We have received the police bureau's internal report regarding the effectiveness of the PS 3 program. We have also received a peer review evaluation of the PS 3 report supporting those findings last week. We heard the presentation, the evaluation of the report as well as public comments on this ordinance had. Is there any additional business on this item before we call the roll? Seeing none. Please call the roll.

**Clerk:** Ryan.

**Ryan:** I appreciate the testimony last week the protection by director Myers's and acting chief Rowan. I vote aye.

**Clerk:** Hardesty?

**Hardesty:** I also appreciated the conversation last week and I will use the word again audit and audit will be very important as we move forward and I was happy to hear both chief rowan and Mike Myers agree that an audit will be appropriate as we move forward. I think this is a great program but I want an independent audit to tell me that that is so and I look forward to seeing that. This is actually dollars that we had set aside in the last budget to actually expand the program ask so I am happy to support this minor expansion as we continue to move forward and get the independent information we need. I hope this is a good program that will benefit Portlanders both short-term and long-term term. I vote aye.

**Clerk:** Mapps.

**Mapps:** Colleagues, I am glad to vote aye on this item. By passing this ordinance this council follows through on a commitment we made last year to hire 12 unarmed police officers. Hiring these unarmed police officers is probably the most significant improvement this council will make to our public safety system in the next 12 months. The PS 3 program is popular with Portlanders and it is an example of good governance.

This program was evaluated and endorsed by the city's budget office and the police bureau has conducted a peer reviewed evaluation of this program. All of those studies have reached the same program. The PS 3 program is extremely effective at handling the types of crimes that impact too many Portlanders. Currently PS 3s respond to 33 types of calls but stolen vehicles and other thefts account for more than half of PS 3 calls. They either show at that PS 3s spent most of their times actively taking calls, PS 3s for example respond to about 6.4 calls per shift on average they spend about 52.8 minutes on each of those calls, and every hour a PS 3 spends responding to a call saves about 49.3 minutes of armed police officer time. And there is more had good news. Ps 3s are much cheaper than armed police officers. Ps 3s are easier to hire than armed police officers. And we can train PS 3s quicker than we can train any police officer. Now in the infrastructure world where I spent a lot of my time we call projects with results like this a triple whammy. Colleagues, PS 3s are an example of a rare triple win in the public safety space. Ps 3s make our city safer. Ps 3s moves to police reform by moves us away from relying on armed police officers to respond to every public safety call and, three, PS 3s save the city money. Colleagues, for these reasons and more I vote aye.

**Clerk:** Rubio.

**Rubio:** I want to express my gratitude to director Myers for work he's done with the Portland police bureau and other emergency bureaus thus far and the work is happening and there is still work to be done and the reality is that Portlanders continue to experience a high level of need from all our first responders right now and we are struggling to keep pace. And given this I agree that the release of these funds will be a critical part of increasing responsiveness to community and nonemergency calls and real-time and also allow armed police officers to respond to more adequate situation fitting of their need and level of urgency. So for these reasons I vote aye.

**Clerk:** Wheeler.

**Wheeler:** Expanding the number of unarmed PS 3s would help to improve the city's public safety response in several ways. First of all, we agree that many calls do not require an armed response. Second, more PS 3s means more hands to respond to calls which can translate to reduced call response time across the board. And third, using PS 3s to respond to low acuity calls frees up sworn officers' time to respond to more violent crime. Finally, I see the 100 pending PS 3 applications as a bellwether of significant interest from our community in actually participating in this new community safety model. I am satisfied that the report and peer review support the expansion of the PS 3 program. I vote aye, and the ordinance is adopted. Next item 416 the second reading.

**Clerk:** Amend permit fee schedules for building electrical land use services, mechanical enforcement, plumbing, signs, site development and land use services, fee schedule for the hearing's office.

**Wheeler:** Colleagues, this is a second reading. We have already heard a presentation and taken public testimony on this item. Is there any further discussion? Seeing none Keelan please call the role.

**Clerk:** [roll call]

**Ryan:** Colleagues' ability for BDS to provide timely predictable services in keeping the construction industry work being adding to the housing supply and attracting investments to Portland. I vote aye.

**Clerk:** Hardesty.

**Hardesty:** Aye.

**Clerk:** Mapps?

**Mapps:** Aye.

**Clerk:** Wheeler.

**Wheeler:** Aye. The ordinance is adopted. 418, please. I am sorry. 417, please.

**Clerk:** Revised transportation fees, rates and charges for FY 22, 23, amend transportation fee schedule and fix an effective date.

**Wheeler:** Commissioner Hardesty.

**Hardesty:** Thank you, mayor. Colleagues. Before us today is the Portland mayor of transportation's update much its fee schedules. Just as bds presented last week and you will hear from BES and water this afternoon it's [indiscernible]. Updates to reflect the current costs of providing services in accordance with city financial policies. The fiscal year 2022, 2023 fee schedule demonstrates pee bod's commitment to maintaining service levels for Portlanders while being sensitive to Portland's economic recovery. The most substantial changes are to our land use and building plan fees that have not been covering the costs of these programs for a number of years. With the economic recovery in mind, we will ramp up these -- I am sorry. With that economic recovery in mind, we will ramp these up over a five-year period to reach cost recovery. This will ensure the development community continues to receive services in a timely fashion, something I know Commissioner Mapps and Commissioner Ryan have heard repeatedly through the permit improvement task force while still making sure those fees lies at a reasonable rate. When a typical construction project land use and plan review represent 1 to 2% of all fees and charges paid by a developer. I also want to highlight that in accordance with pee bod's revenue plan city council adopted in February, we are not raising parking rates in essential city at this time but we are adding a 20-cent climate and equity transition fee to be used for programs such as the highly popular transportation wallet that you have all heard so much about over the past few months. This is an important moment with councilors implementing real policy that will move us forward in our efforts to combat climate change while still being sensitive to our economic recovery.

**Hardesty:** with that I will turn it over to Ryan Kinsella from PBOT to quickly go over the highlights of our fee schedule. Thank you. Are you there, Ryan.

**Ryan Kinsella:** Yes, I am sorry about that Commissioner. Settling myself. Thank you. For the record my name is Ryan Kinsella I am a financial [ inaudible ] transportation. A reminder council's consideration and each year. [indiscernible] environmental services.

For city financial the policy we update our fees on an annual basis in order to achieve cost recovery. This ordinance fees from wide use of services including parking, [indiscernible] right-of-way use and regulatory vouchers. Our fees are primarily updated with increases as well as changes for staff and materials. costs include efforts to balance our budget over the past two years. We have begun phasing in annual increases above inflation even though we are well below cost recovery this should help us in stabilizing our finances but also ensure we min miles any delays to the [indiscernible] process. There are a few specific items also worth highlighting. It is hoped these five in fiscal year 2021 increases in the year. PBOT also to help business perms due to American rescue Plan dollars provided by city council. Second, this ordinance includes a two-year 20-cent climate and equitable mobility to critical transportation and investments to [indiscernible] to create more system including transportation wallet. This change is in line -- this change is recommended by the pressing options for equity mobility task force to council in PBOT's revenue strategy presentation earlier this year. Looking to the future PBOT will continue to balance the financial sustainability of the system and need to support economic recovery. To this end there are no increases to the [indiscernible] 22, 23 however we will be returning to council this year to request [indiscernible] parking, ameliorating [indiscernible]. Cost recovery for our development fees five years. Future increases are subject to council [indiscernible]. This concludes our short presentation. Thank you for the time and I am joined by PBOT's [indiscernible] questions.

**Wheeler:** Colleagues, does anybody have any questions at this juncture? I actually have a compliment that I would like to make. Thank you for hearing the feedback that this is a very delicate time for the city's economic recovery. And so the council is trying to be mindful of any fee or other increases that might impact the ability of small businesses in particular to be able to recover from both the social and the economic impacts of the pandemic and this proposal hears and responds to that potential concern by both

scaling the increase as well as making sure that in the central city there is no increase this first year which is as we have heard on other items today a very pivotal year for our economic recovery. So I just want to acknowledge that and thank you for including that as part of this overall proposal. Colleagues are there any further questions on this item? Seeing none this is a first reading of the nonemergency -- I should be asked if there is testimony. I am sorry, Keelan.

**Clerk:** No one signed up.

**Wheeler:** This is the first reading of the nonemergency order and that moves to second read. 418 this is a second reading.

**Clerk:** Declare property located at 9442 northeast 13th avenue at surplus real property and authorize the director of the bureau of environmental services to dispose of the property by public sale.

**Wheeler:** Is there any further business on this item, colleagues? This is second reading. Please call the roll.

**Clerk:** [roll call]

**Wheeler:** The ordinance is adopted. Colleagues, we will take a ten-minute recess. We are in recess.

**At 11:20 am, Council recessed**

**At 11:31 am, Council reconvened.**

**Wheeler:** 419 nonemergency ordinance.

**Clerk:** Approve the designation of 9 trees as city of Portland heritage trees and remove the heritage tree designation from 5 trees.

**Wheeler:** Commissioner Rubio.

**Rubio:** Thank you, mayor. Parks ask also thank you to parks and urban forestry for bringing this forward. The heritage tree ordinance was dopped by Portland city council

in 1983 and the first heritage trees were designated in 1994 and there are currently 308 heritage trees in Portland representing 120 unique species and cultivars. The urban forestry commission has recommended nine trees to be designated as heritage trees by the city council. The UFC also recommended the heritage tree designation be removed from five trees and Greg Everhart former urban forestry Commissioner and chair of the urban forestry commission's heritage tree committee is here and he will be providing the presentation on behalf of urban forestry. and also Nik Desai botanic specialist manages the heritage tree program and is also available to answer questions here as well. I will turn it over to Gregg.

**Gregg Everhart:** Hi. I guess I should clarify. We have not met, Commissioner. But I am Gregg Everhart. I use she/her pronoun and I am actually really happy to be here to talk about heritage trees. We missed the presentation last year basically we are giving you the information from two years' worth of considerations pandemic really reduced our ability to do any outreach so in a sense this is probably the most public I have had in the two-year period to really talk about heritage trees. So it's not always good news. I think mayor wheeler may be the only person who has heard me present before. I have been doing it for six or seven years. But we lost five trees. We are compensating a bit by adding nine but we do need to delist these trees if or remove the designation if they have died. So Nik, are you going to run the program or is the council clerk? Great. So this has come to you by way of urban forestry commission. If you can get the next slide. This is where we currently have heritage trees. There is actually a few more. I think there is 325 but it's always hard to keep track of them and obviously five of them have failed. But it is a big variety and the reason they can be designated are that they are large old historically significant connected to a person or event or horticulturally valuable. And we will show you trees that meet one sometimes two even three of those categories today. You will note that they are not evenly spread around the city and we have really made efforts once I notice that there were relatively few trees in outer east, we have now got

seven out there before today's action. We had three when I started it as chair but there is a lot of reasons historically why trees were planted and how they were preserved. So next slide, nick. This is the actual text that gives you the authority to make the final deliberation. In this case we had more than six members of the urban forestry commission approve both these de-listings and the additions. It was actually unanimous and that's not a typical -- they trust the heritage tree committee and sort of pass this response on to them. -- atypical. So let's look at our first tree. Now I'm going to say a few things just about the way the slides are laid out. You've got up at the top left the common name and then the scientific name. The number of heritage trees is actually before you take action today. So we have got three pacific dogwood trees. This one has died. We are going to have two once this ordinance goes into force. We give you the dimensions of the tree. That's actually one. Key factors for evaluating some trees. And because of title 11 giving you the diameter, breadth, height in inches. The records are actually kept in feet including circumference sort of around the girth of the tree r it's at the same height. It's the same number. It's just in different units. We tell you when it's been designated, so this tree was you know two, three years into the start of the program. They were already up to heritage tree number 76. They got to 200 by about six years into the program. So I think at that point the early committee had a lot easier time finding heritage trees. We have heritage trees that we classify in four ways. This is a right-of-way tree. But there are park trees, there are public trees that are public lands not managed by the parks bureau and then there are private trees. And it's amazing that about half the heritage trees are designated by private owners and maintained by those private owners. In the case of these trees where we need the designation removed we put the date in sort of who took whatever official action was taken and then finally because we are really interested in having heritage trees every way we note the neighborhood and how many heritage trees it has. So to go into a little detail on this tree this is a magnificent species of native tree. It's a fairly rare in Portland and we

believe that it's suffering from drought. This tree kind of underwent a slow decline. It wasn't really evident that it was truly going to struggle and die until a year ago last spring when it just didn't leaf out and flower. So that picture on the left was taken this summer and it looks as if the tree is still in the winter. So it was the largest of this particular species and it's a major loss. And we have actually been hunting for dogwood trees, the native ones, not our kind of little eastern dogwoods but our true, western, oregon natives for self years. This is why it's really important to come before and you perhaps have some public members see a species where they know another tree. So the next tree? This is a private tree and you can see what happened. Got sort of the before picture on the right and then the left. It lost most of its major limbs. It's a pin oak. They are you know strong like most oak trees but this had been on a list for quite a while. It probably had some early defect in the branches ask one branch falling may have hit know one. In the end we normally go out as a committee, the heritage tree committee, look at the tree and determine whether it can recover. In this species losing nearly half its canopy, it just can't recover. Because through covid this is one that we handled virtually and then virtually at the urban forestry commission. So the next tree? This is a tragedy. They are all tragic. I'll probably repeat myself many times but even though we have actually I think it's 24 Garry oaks or oregon white oaks on the list I think the subtraction was made here already, this tree was one of a trio and it succumbed to an ice load. The other tree were still standing which is terrific. This one probably had some branches that were out longer or more on one side and when it got that coating of ice it just couldn't withstand it. So you will see at that 324 or 3 whatever 2021 date on several of these trees was a major ice storm and urban forestry staff was just working around the clock at this time including in some cases sort of a retroactive permit because city forester if the tree is hazardous can give a renewable permit. This case because it was publicly accessible and hazardous they actually cleaned up the tree and we are very fortunate to actually have this picture. So the next tree. Next casualty. This is one that I

used to visit fairly frequently when I lived in Sunnyside. There are three heritage trees in Lone Fir cemetery which is a site that's managed by metro. So this is considered a public tree not a park tree. Again, damaged by the ice storm if that retroactive emergency removal. People go in the cemetery all the time. They just couldn't have the damaged tree. Notice that we only had two of these on our heritage tree list. This is a native tree and it is suffering in the summer heat we have got these days. This is one where we really do want to find some others. It is sometime reputed to not be really long lived but this tree actually qualified as a heritage tree for history, size and -- history, size oh, and age. It had a plaque on it. It was planted in honor ever old oregon territory governor generally Yosef lane and the plaque said it was planted if 1848. -- joseph. So this was old even when it was designated and I think it's proof that histories -- these trees can be very long lived. It's probably the one or two most hard to replace trees of the five I am showing you today. Fortunately I think I've got another one on a different metro site. So we will see what happens by next year. Next. This is the last of the casualties. Note that this diameter breadth height is only ten inches of the that's far below our cutoff point where we actually penalize people that remove trees illegally. The important thing about Portland's heritage tree ordinance is that we actually have some legal teeth. Once a private tree is nominated, and the owner has to sign that nomination form once the urban forestry commission approves it they actually come back -- we ask for their signature form on a consent form that's more detailed after you take action go to Multnomah county and make sure that this is attached to the property records. It also goes into the city database, the bureau of development services checks when they are doing land use project just to make sure that the heritage tree that might be there is protected. And then the penalties if you damage or remove the tree are actually double what they are and where they don't kick in unless the tree that's removed or damaged illegally is at least 20 inches and applies to every heritage tree of any size. So if tree had not been damaged by that same ice storm but had been removed illegally it would have

been ten times \$900 which is the price premium for removing a tree. -- per inch. You will see five private trees that will be designated, we hope. This is one of 8 on this property and I just have to stress that private land owners are giving up significant rights to develop their property whether it's just adding a garage or an add. In this case it's a large parcel. Historic as well as being one of a kind. On a site that had been a tree nursery for two families for over 80 years. The daughter of the second nurseryman nominated over a period of two years many trees and we actually accepted 8 which is remarkable for one site. Kieran Ericson, that land owner, really wanted these trees to be protected because she knows that her parcel will some day be subdivided. These trees will -- subdivided. This will ensure that the future houses will be worked around these trees in a way that protects them. I am actually excited to see how that development is done because currently it's a private property and you have to contact Karen to really get close to the trees. But that's how they voted Portland property owners are to their trees -- devoted. I get the question. Why would someone participate in this program. So that's the end of the bad news, Nick. If we can go to the next slide. This is where the nine trees on seven sites are located and it just sort of was the luck of the draw that we had one in each quadrant of the city, a couple more in a couple of the sites where we had pairs of trees. We have color code this had map and it changes every year, every two years in this case depending on where we have added heritage trees and actually subtracted those that we removed the designation from. Our goal is that there would be color on every neighborhood in the city. Indicating that there is at least one heritage tree. Ideally there would be two because you see that catastrophic harm whether it's wind, snow or ice can do intense damage to these trees because they are large and old. We have because we focus on outer east increased our tree count there to seven from the tree that we had when we started. But it's taken a lot of effort. These are not as easy to find now. The next slide shows you the part of the code that talks about designating these trees. I talk about the quality that trees need but there is a previous step that is

usually done by one of the two people that are the heritage tree inspectors. They are certified arborists. They go out and visited -- visit all the trees that are nominated and they ensure that there is actually enough space both above ground and in ground and that the tree's pretty healthy that could live for many more decades before the heritage tree gets to actually look at them. We did have to modify that process this year. We had 38 trees nominated the first year. They were not inspected. We had seven which reflects sort of the impact of our lack of outreach to the community, our lack of knocking on doors and so forth. And we modified the process so that the staff liaison before Nick and I actually previewed the trees. That enabled us to actually take out some of the ones that were smaller. So that the committee who actually visited the trees independently just didn't have to go to the 40 some trees. Other than that our voting process requiring a significant majority in all and everyone having seen the trees was no different and we are really fortunate to have John Mills who is a neighbor and committee member from southwest actually measured all the trees before Gina Dake the staff person and I really sifted through them all. Next slide. Should give us, yes, sir our physical heritage tree Douglas Fir, state tree of Oregon. It's the one reason native tree that we have so many. We do welcome more because they all vary a lot. This one has grown out in the open and we really appreciated how visible it is. It is right at important junction of a road and you turn around the corner going around it. So it will add another tree to Pal-Hurst Gilbert neighborhood and one that is more visible than the nearest other Douglas fir heritage tree which is deep inside Powell Butte Nature Park and frankly we have a hard time keeping the plaque on that tree. This is about middling size. It has a good girth but not as high as some of the other trees. So it's maybe fourth as tall. But we are excited to have it. And we are historian environmental historian actually he calls himself David Hedberg on the committee, and he noted that this tree is in the David Douglas school district and I hadn't really thought about it but the district was actually named the Douglas district for the plethora revenue these large Douglas fir trees. We are really

happy that this one will also be protected from future street improvements. Because we hear again and again for people in southwest and outer east they want their streets improved. Really concerned about losing big trees that are growing in their right-of-way. So with this designation off the transportation will have to work around the tree and the needs of its roots when they work on curbs and sidewalks. Not that they may have the right-of-way but it's a great protection. Now by contrast these are two very small stature trees and you can see that DBH that all important member is just above and below 10 inches so this would not be expensive trees if someone just decided to damage them or remove them. They are now protected from that and this plaque really does often dissuade people from damaging these trees. In this case it's a species I didn't know. I practice as a landscape architect for my career including 15 years at the parks bureau and I was able to site a lot of tree in parks that were either new or renovated and this is just not a species I knew and it's perfect for this size of tree strip with wires overhead. These plaques I think will give a lot of visibility to this species. We are always open to diversify just ever more resilient urban canopy. Again I call your attention to the neighborhoods. These trees are in an area that's actually claimed by two neighborhoods, so which is a naked that has the most heritage trees will get another two. Sabin which has one will now have three which just means that they are less likely to go back down to none. And I am excited about these. Probably only 15-years old. They were nominated by an urban forestry staffer who was only part time at the time she helped citizens do the street tree inventory. So thanks and kudos to Julie Fekuda at urban forestry. This tree has the wow factor, it is a grand, grand fir. If really aptly named. Head and shoulders above its neighbors. [indiscernible] sent in this footage or photo that was taken by a drone I believe. It's actually larger than our other grand fir heritage tree which was larger than the one in the northwest hills that was cut down illegally. This one is incredibly visible. And it's ironic the committee all laughed I think said, well, individually when they visited it on their own because we had been about three blocks

from this tree when we did our tour about three years ago. It will be a great place for future heritage tree tours because there is two other heritage trees just three blocks away and they are all very, very large. So check out southwest brier place, a fairly short street in southwest. The tree according to Martin Nicholson could be as old as 150-years old. He is on the committee. He is a curator at Hoyt ash receipt yum which has a conifer collection. This is a native species. It's fairly rare. I think partly because it can grow so large. Arboretum. Once we have storm damage people tend to panic about large trees. So very important and we are grateful this tree probably has another 100, 150 years of life in it and it will really be large then. So the next one is a pair of trees. These are private trees and again I kind of compliment and in awe of these private owners. Do I not have a tree that would qualify as a heritage tree for probably 50 years. But these are two large deodar cedars. We have four on the heritage tree list. Some of them -- or one of them is actually got more girth. This tree is actually second tallest. But you can see the impact they make on the skyline in king neighborhood. Each has just two heritage trees. We had some debate about this. A couple of people missed seeing this because we were traveling on our own. People ran out of time. One person didn't get the address right. We felt these trees were significant enough that we had a third zoom call to discuss them because we wouldn't let anyone vote for the trees unless they had visited in person and the debate became whether it was a pair of trees, a south tree, the north tree whether they got their own plaques or sort of one for the pair of them and we ultimately decided they would be best protected with having their individual number and individual plaque and I think a turning point on these trees were Ginger Edwards who was in north Portland as tree Tuesday ed Hoyt in north and northeast Portland the fact that you can touch these branches that they come down to the ground out to the sidewalk and you see the large cones it's actually what makes these trees special and different than the other deodar cedars. There are many throughout town. They are always limbed up. These are unique in having their bottom-most limbs in it basically

precludes any additional development on this site. It takes up about half of the lot. So it's hard to give you an idea the scale of some of these trees. But we are excited about those two. And we can move on. This looks like two trees. It's actually one. And it's a native species again a western red cedar, and what it has, if you look at the diameter at rest height and it has two measurements and that's because as you see on this lower right picture there is a second branch that's come out. It got buried by the droppings of this leaf. It managed to root. It's grown up and it's formed that second trunk. The other significant feature about this tree is that this building is really close to it. It was built about three years ago. Damon Strosk who is on the committee is a master arborist. He didn't nominate the tree he actually didn't vote on it because we don't allow anyone who is either involved in land use or tree care to help make those decisions. He did answer questions and they used air spading in this case where basically they blow soil away from the tree roots to find where the big roots are. You put it back and in this case they could then make some special foundations that suspended part of the tree over the roots rather than digging a trench and cut into those big roots and reduced its stability. This tree was watered then by its very devoted owner for the next three years. It showed just a teeny bit of scorch after the heat dome of last summer. We visited these trees after that and other trees of the same species were really suffering. So we are really excited. We hope that not only does it get its plaque but perhaps there is something in the form of like an interpretive plaque that notes that it's really possible to build and have buildings close to and co-exist successfully with large trees because clearly you are aware of this with the residential infill project and other similar legislation we are really losing the large spaces that are best for large trees. The street trees are becoming ever more important but the size of the planting space for them is often very small. So anyway, this is a great native tree. And this tree is almost as tall -- actually it's taller come to think of it. This is in pure parks. So this is our single park tree this year. Often people send more nominations for park trees and the bureau is already taking care of

them so the preservation in most instances is a little less valuable but having the plaque on this tree will let all the disc golfers that get as far as hole number four on the disc golf course there know that this tree is actually special. It is a species native to Japan, China, not common in this area according to go Dave Hedberg until at least the 1950s. So it's not that old. What it is is extremely tall. It is taller than the world champion which is in Belgium. It was just the kind of information that heritage tree committee members know have of them are certified arborists and these large trees are kind of their livelihood and their great love and I looked it up, verified the height. This one is slightly taller. It will never probably be a champion. It's growing in an area surrounded by big conifers. That's why it's grown so tall. But it will never probably have the girth and the spread that you combine with the height to determine the overall size of the tree. Yet you got to see this tree in the fall when all its leaves turn yellow against all the conifers. Again, not a huge diameter breast height but we are really happy because it's such a different form than the other katsura trees that have been protected. Next this is the final tree. I think this is everyone's idea of what a heritage tree is in that it's really tall. It's really big around. It's just massive. On the other hand we have seven of them so the committee looked at it very carefully. We felt that although it wasn't taller than anything we have it was really healthy, very prominent. It's a landmark in the neighborhood. And it's elevated location on the corner lot make its really visible -- its. It's also on the same site with the Henry M Grant home which is listed on the national register of historic buildings. And I the clinching point always raised by Frank he pointed out this tree has grown so much it's now within 10 feet of the structure and this is something that really needs improvement in time and love and anyone owning property within ten feet of the tree can remove it. It doesn't matter whether it's impacting the structure, how the conditional of the tree is, they just have the right to remove that tree. So this tree fortunately will now hopefully be protected. Final slide is just to thank the committee. Not everyone is in this picture. Theo Weiss Hayes is resigning. She's moved out of

Portland. She will focus her effort on trees in Gresham. Jennifer Baxter has been hit really heavily. She has been hit heavily. The pandemic means she can't do as much as she's been doing. Everyone else is going to carry on which is great. This is definitely a volunteer position where experience counts. And everyone brings different talents, so I really appreciate these people. And my final thanks is to Gina Dake who was the staff person raised on the staff for several years. Now that she has moved into education and out of urban forestry that we have Nik Desai. Nik is working on title 11, so he will be really well poised to help us protect trees and understand some of the placeless where the code needs to be improved even for herm trees. so that concludes. Nick and I are both available if you have questions or comments.

**Wheeler:** Very good. Colleagues, any questions? At this point? Keelan, do we have public testimony on this nonemergency ordinance?

**Clerk:** No one signed up.

**Wheeler:** Very good. Commissioner Mapps.

**Mapps:** Definitely fascinating presentation and thank everyone who works on this issue for educating Portlanders and preserving our heritage trees.

**Wheeler:** Thank you, Commissioner Mapps. A great presentation. Thank you for the photos. It helps us obviously if we can visualize what is being discussed. So thank you for the terrific presentation. If there is no further questions, this is a first reading of a nonemergency ordinance. It moves to second reading. Thank you. Next item. 420 and this is a second reading.

**Clerk:** Amend fee schedule for tree permits.

**Wheeler:** Commissioner Rubio. Oh, I am sorry. Did you have any -- second reading. You don't have to say anything more. I apologize. This is second reading. We already had a great presentation from Commissioner Rubio and the team. We had public testimony. Is there any further business on this item? Seeing none mees call the roll.

**Clerk:** Ryan.

**Ryan:** Item 420 for tree permits. 420? [ inaudible ] I don't think I heard you. Aye.

**Clerk:** Okay, thanks. Mapps.

**Mapps:** Aye.

**Rubio:** I want to thank parks and recreation urban forestry for their work on this perm schedule and ensuring it meets the requirements of title 11. I vote aye.

**Clerk:** Wheeler.

**Wheeler:** I vote aye and the ordinance is adopted. Next one is a 4/5 agenda item 420-1, please.

**Clerk:** Authorize intergovernmental agreement with oregon department of transportation for the central systemic signal and bike pad illumination project in the amount of \$62,068.

**Wheeler:** Commissioner Hardesty.

**Hardesty:** I think the mayor and colleagues for helping me get this on today's agenda. Due to some staffing challenges in the Portland bureau of transportation this IGA was late being processed and needed to be approved by council as soon as possible. The projects this IGA will implement on important safety improvements to our network and I want to thank the oregon department of transportation for its partnership in this effort. Thank you. And let me just stay that the four projects that will be improved include southeast stock and southeast Washington at 103rd drive. They will get a traffic signal, pedestrian crossing and ADA safety improvement. The second is southeast force at 92nd avenue also a traffic signal, pedestrian crossing and ADA safety improvements. Southeast Washington at 99th avenue will get a traffic signal, pedestrian crossing and ADA safety improvements. And last but not least northeast Broadway at Martin Luther King Jr. Boulevard traffic signal and safety improvements much that's what's covered under this IGA. Thank you.

**Wheeler:** Thank you. Any comments? Keelan, any public testimony on this item.

**Clerk:** One person signed up.

**Wheeler:** Three minutes of the name for the record, please.

**Clerk:** Bridgecrane Simcha-Johnson.

**Bridgecrane Simcha-Johnson:** Good morning, Commissioners. It's nice to be back although for Commissioner Rubio it's not exactly back. Welcome. To this public process. It's been abbreviated. I want to thank Commissioner Hardesty specifically for Hardesty for mentioning the 99 to 103rd area Washington stark the electoral workers credit union out there and many Portlanders who experienced moderate to severe poverty, make ends meet by selling/donating plasma. There is a plasma center in this general area north of mall 205. Mall 205 is going through some changes home depot and target going strong and so pedestrian safety especially for you know the families that are having the most financial struggles in our community is really great to see. For people more concerned it's sometimes hard to tell from the agenda listings. There is a 17-page pdf that comes workplace this for policy nerds, geeks but nothing really in there except we need more emergencies like this where the city drops only \$62,000 and gets \$4.6 million worth of work from PBOT or from ODOT. Nice to see that you can all be here and I look forward to your four or five votes in favor. Thank you very much.

**Wheeler:** Thank you. Appreciate it. Any further discussion? Seeing none please call the roll.

**Clerk:** [roll call]

**Wheeler:** Aye. The ordinance is adopted. Back to the consent agenda. Item 397, please.

**Clerk:** Amend contract with Rosenbaum and associates LLP for compliance, office, community and liaison services to extend terms and increase compensation and revise statement of work to be more specific, identify key personnel and provide for further extension in an amount not to exceed \$2,506,297.

**Wheeler:** Colleagues, under the city system agreement with the united states department of justice the city contracts with Dennis Rosenbaum and associates to serve as what's called the compliance officer community liaison sometimes referred to as the

COCL. This contract amendment would extend the current contract for one year with up to two more years at our option. And we have deputy city attorney Sarah Ames here to present the ordinance but Sarah, if you could hang on for a moment. Why don't we find out who pulled it and maybe they could get their questions on the record first.

**Clerk:** Dan Handelman.

**Wheeler:** You go ahead and do your testimony three minutes foreign the record and we will have Sarah Ames here to potentially respond. Dan, are you there?

**Handelman:** I am here. I am here. I appreciate the offer. What I will hoping to do is that my colleague mark forest would listen to the city attorney's and respond. You want one much us to present first I would prefer --

**Wheeler:** That would be helpful because this has been pulled off of consent so it would be helpful to know what your concern or specific issue is and that way we don't have to just give a long expansive discussion on all facets of. This we can get right to whatever the nub of discussion is.

**Handleman:** Are you going to -- are you willing to call on Mr. Poris first or do you want me to go? I want to be clear.

**Wheeler:** It doesn't matter. If you want mark to go first that's fine. Each of can you have three minutes in whatever order would you like. Mark, would you like to go first?

**Mark Poris:** Yes, I will go first. If.

**Wheeler:** Thank you.

**Poris:** All right. Good afternoon, mayor and Commissioners. For the record my name is mark forest. I use he/him pronouns and I am testifying as a member of the Portland Copwatch. I am grateful to testify remotely today. I want to start by reading directly from Portland cohos on the web site. Under the agreement the compliance officer community liaison COCL is responsible for signature sizing use of force report to go the city council, DOJ and the public ask gathering input from the public related to ppb's compliance with disagreements. The COCL shall not be attached to one city office shall

wholly independent of ppb and in January 2015 the city of Portland hired Rosenbaum and associates to serve as Portland's compliance officer community liaison COCL. By the time this extension ends in June of 2023 8.5 years after the COCL was formed the city will have paid them around \$4 million with 600,000 or so of that earmarked for travel since the COCL is based in Chicago. With that said it is good that the contract envisions approving an annual amount of \$440,000 one year at a time. So that if the parties agree and if the court approves it a court monitor could be appointed to do the work currently done by dr. Rosenbaum's firm. If last week council passed an ordinance to extend PPB's contract with Cascadia behavioral health for the five mental health clinician who is work alongside police officers in the behavioral health units and the previous week you had lieutenant burly from the rent in same ordinance where he informed you that ppb plans on converting these five contractors into city employees at the end of the year. Because they notice that Portland street responses are mental health clinicians are better expect city employees. I was happy to see that Commissioner Hardesty pointed out the triplication in our public safety system right now with Portland street response, the community health and tree program and the potentially overlapping services offered bit. What I took out of Commissioner Hardesty's conversation with lieutenant burly is that council will need to decide where the best place is to all the mental health clinicians who work in public safety for the city and we should not assume that they will be ppb employees. I hope that they will not be ppb employees ask they certainly should not be represented by the Portland police association. This does relate tomorrow night COCL because when Commissioner Hardesty asked lieutenant burly the if BHU has ever been independent lip audited he couldn't say no even though that is the actual answer. He claimed that the COCL is an independent body that has routinely and does routinely assess the work that the BHU does. While that statement is it true it is also true that there is never been an independent audit of the BHU. To restate here what Portland said last month about the court monitor if you do choose one they should be local to the

pacific northwest and require to engage with the people of Portland. Not just the city, the DOJ, and the court. Thank you.

**Wheeler:** Thank you, Mark. Ask do you want to call Dan up, too.

**Clerk:** Dan Handelman.

**Hardesty:** Dan wanted to wait until after the presentation there from the city attorney.

**Wheeler:** Very good. Sarah, you are up.

**Sarah Ames:** I should be faster. Mayor, Commissioner I am happy to present the extension of the budget as you all realize the department of justice settlement an agreement with the city of Portland who requires that we have a compliance officer community liaison. That person was selected through a public process and has been serving and we need to extend the contract to remain in compliance with the settlement agreement. There are as we have proposed that and negotiated a one-year extension of the current contract that started in January of 2020. With the option for the council to at its sole discretion to review for two additional years safeguards put this about the extent of the inflationary increase in those out years. Mr. Forest mentioned the travel expenses. Clearly they are budgeted a certain level and of as you might expect the travel expenses significantly lower and will be in some of the carry-over to pay for the additional costs of the services themselves. Further, I would say just in response to Mr. Paris's comments the COCL has intensity to increase the hours of one of its local team members who has a masters in the area and so hopes to be able to do a little bit more staffing right directly here. If you have any other questions I am happy to answer them.

**Wheeler:** Very good, thank you, Sarah. We appreciate it. Now you can call dan.

**Clerk:** Dan.

**Handelman:** Good afternoon, mayor wheeler and Commissioners. I am Dan Handelman. Portland Copwatch has been tracking the DOJ settlement before it was signed this 2012. November 2014 we community advisors asked for the compliance officer's job to be awarded to a local contractor. Dr. Rosenbaum from Chicago had

\$315,000 a year. At the time the community liaison part of the job included management and facilitation. Oversight advisory board. Now the contractor is up to \$440,000 a year with fewer responsibilities. We saw amend many in the past but the ones to address today's agenda item never came before council. Extend the original five-year contract to 2021 and 2022 adding just under and then just over half a million dollars. That second amendment at least should have come before council. Another move the contract under the city attorney's office. It was problematic that the mayor's police liaison was formerly in charge of the contract for someone doing an objective review of the police bureau we have even less trust for the city attorney's office. When council moved to allow contracts to work under \$5,000 to bypass public hearings we Taylor van Deist that contracts under the purview of the whole council should always be heard for transparency sake. These contracts giving \$1.5 million but for three more years' work was put on the consent agenda which the public had no right to discuss whether Portland was benefiting from the use of taxpayer money. One of the only entities in the city that reads and responds to the reports. We found will was useful information not otherwise usefully for the public who ask for the police to be reformed in the first place. Thankfully the reports have been improving since 2020's uprising but there are still items that have come out short. For example in the q4 2022 report they caution the advisory committee to look into incidents where police use deadly force against someone with a mental health crisis or they risk being found out of compliance. Since 2014 they had been saying that but we had no idea there were no such discussions. The point is they were not in compliance prior to January 2020 when the COCL Portland had complied with all aspects of the agreement. The contract requires them to provide feedback to DOJ and the city but not from the community. Responses to community comments for several years however we noted in their court last month we wondered why the social scientists funded money [bell ringing] over 60 years was not curious how a city would officers on pedestrian stops in each three-month period. The response was

cut off due to formatting error which stated concern about pedestrians [indiscernible] and that's all we can read. We have also called out the COCL for publishing tables by the police rather than examining the raw data themselves and generating their own graphic and more complete information. We would like to see amendments to the contract making it [bell ringing] community comments under [indiscernible] supervisor or assure they are being objective and thorough. Thank you.

**Wheeler:** Appreciate it. Colleagues further discussion on this item?

**Clerk:** Mayor, we have additional people signed up to give testimony.

**Wheeler:** Very good.

**Clerk:** Next up we have Lightening Lightening.

**Lightning:** Good morning. My name is Lightening. I represent Lightening Super Karma. One of the issues I have -- I don't have any issues with Dr. Rosenbaum. I think you are very knowledgeable. I think you are trying to do a good job. May not agree with everything you are doing, though. One of the problems I have on the extension at this time is that I don't want to see it approved today. I think basically what we are looking at is incompleteness on the scope of work and one of the things in the discussions I had with dr.-- or with federal judge Michael Simon is we need to start focusing more on the body worn camera, the video, what we will do with that. You don't have any of that in here. This was one of the most important topics brought up in front of the federal judge and also by the federal judge and there is nothing in here. I think that has to be put in on the scope of work. Again let me go a little bit farther on that. I want to see professional audits done on the video. What does that mean? I want to see the implementation of the body worn camera agreements. What does that mean? I want to make sure the public has access to that video. What does that mean? This is your job, Dr. Rosenbaum. I talked to you at that meeting also and I stated to you that we need to also start looking at the sheriff's department on getting the body cams on at least the patrol officers. This is a discussion to have on this. You are being paid a tremendous

amount of money and I want to see discussions on these issues. And if this is to be approved by the court I don't want this to be approved at this time. Until we get more details going back to the body worn camera implementation, the agreement, the audits of the video which I think covers everything that we are trying to do in this city to have more transparency, more accountability, the police to be more civil, the community to have a more clear understanding on what the police do, to have a clear understanding on how to reform the police and I don't see anything in this relating to that. [bell ringing] so I really think federal judge Michael Simon would look at this, too, and say there is really nothing in here. Why not? Why is that all being left out right now? And again like I stated to dr. Rosenbaum at that meeting, focus on this. Focus on this because this is the most important issue. The body worn camera agreement is the evolution of the settlement agreement will had encompass everything on that agreement [bell ringing] thank you.

**Wheeler:** Thank you.

**Clerk:** Next up Bridgecrane Johnson-Simcha.

**Johnson-Simcha:** Good afternoon, Commissioners. I really of course among the five of you only commission Hardesty has full fluency if the city -- I don't remember consult Hardesty was in a position to do the work that Rosenbaum is doing but we ended up sending the money to Chicago instead of keeping it locally and there is no urgency to approve this today. I think that as Mr. Handelman mentioned at one time there was a panel of a dozen or so volunteers in the COAB, additional workload that was part of the COCL contract and I think that the had most glaring problem here is that supposedly we are having community engaged policing so much it that we have a PCEP, a PCEP and it really doesn't seem right that many community members before the expiration or assassination of the COAB put in many hours and we think we can shuffle somebody off to Chicago and clarify the wage or the salary for the New Orleans person, the captain. I don't know -- I haven't seen in the record yet where this has been fleshed out with the

Portland community for Portland Commissioner for community aged policing. The PCEP. I would encourage to you consider that. If you really believe in community engaged policing you could defer had item for a little while. I guarantee you that procedures won't go bankrupt or freeze up for a few weeks' delay and talk to the community members that you know that are in the PCEP and maybe even invite them to prevent a spectrum of viewpoints because you know we will rush some money. It's small, when you have a police agency that has a quarter billion dollar budget this size of money is not critical but I think had many people in the community would like to before you vote "yes" for this or make changes in it would like to see that we are really on track [bell ringing] to have a court administrator or whatever the community feels is the best solution. So I will be expressing myself to PCEP members that they -- if you approve it now they should express to you if they feel that there really was a comprehensive and inclusive process to always be able to quickly shovel money mostly out to Chicago and to nonlocals [bell ringing] oh, and community engaged policing means money staying in our community helping our most disadvantaged communities, amplifying minority voices. Thank you very much.

**Wheeler:** Thank you. Appreciate it. Does that complete public testimony?

**Clerk:** It does.

**Wheeler:** Any further discussion on this items, colleagues? Please call the roll.

**Clerk:** Ryan.

**Ryan:** Aye. Hardesty?

**Hardesty:** I want to address body cams is not in here because we don't have a policy yet on body cams. And once we have a policy nothing prevents us from making sure that that policy is transparent and that Dennis Rosenbaum and his team understand what the policy implication hands are. I am -- I need to make sure that we get this body cam policy right and we should not rush it to fit this particular you contract. So I vote aye.

**Clerk:** Mapps.

**Mapps:** Aye.

**Clerk:** Rubio.

**Rubio:** Aye.

**Clerk:** Wheeler.

**Wheeler:** Aye. The ordinance is adopted. The next item was 409 pulled off. That's correct.

**Clerk:** Authorize agreement between Portland parks and recreation and Portland public schools for the joint use of the athletic facilities.

**Wheeler:** Commissioner Rubio.

**Rubio:** Portland public schools and Portland parks and recreation have shared the use of their facilities because they recognize that by allowing each other use of the facilities the quality and quantity of facilities and programs available to students and the general public is increased. To continue this tradition of sharing facilities parks ask PPS now wish to enter into a new joint use agreement that details the use each party will have of the other's parties' athletic facilities. Dylan Paul from parks and Dana White from PPS are here to make a brief presentation and answer any questions you may have.

**Dylan Paul:** All right. Hello. Let me share my screen here real quick. Can you see that?

**Wheeler:** It's just a dark screen. There will it is. We got it.

**Paul:** Let me -- perfect. All right. So I am joined here with PPS real estate director Dana White and thanks for joining me. As Commissioner Rubio stated, the PPS and parks relationship is very long. But ten years ago we formed one agreement that brought everything together. I think it's important to know that we have different but similar missions. We have always been interlinked mutually beneficial in overlapping around property use and athletic needs. The major areas of collaboration are joint use which is the exchange of high value assets owned by one party but needed by the other. We have a lot of separate assets that are too expensive for us both to maintain so the

trading of those assets is critical. Active play mutual exchange of property access between parties for play and recreational purposes. And then public benefits where a good example of this is we use PPS fields for extended access to manage sports that would otherwise be difficult to manage or for the public to find access to. So in 2010 we combined many historical agreements that included athletic use, property access, conditional use, site specific improvement and community gardens. We found that an agreement that large is difficult to manage. Either just for perspective there is over 40,000 hours of athletic use exchanged between the two parties. So the new agreement structure speaks to separate out athletic uses and aims to keep everything else under the heading of real property which would be one or more separate agreements to address the remaining needs. Today we are just seeking approval for the athletics agreement. The real property agreement is still in negotiation. Key facts around these both parties around the new agreement both parties modify their historic requests to ensure that all reserved hours are either used or released back to the other participate. Due to the new school bell schedules PPS had requested to shift their use hours historically from three to six to four to seven. There were some groups that were displaced but we found new homes and locations for most of those. Parties continue to seek min miles the exchange of money and balance the use. So we don't want to be writing cheques in a circular fashion. We are looking to truly collaborate, better together as it were. Parks will now charge PPS for porta potties and no longer mow PPS fields but we will continue to pay for gym custodians primarily weekend use where a gym would otherwise be closed and so we pay those direct costs and we are happy to do so the new agreement also shorter term of three years. And we have an exhibit that outlines times, days, use, sports types and locations of those tens of thousands of hours that are being exchanged. So that we are both clear about who is using what and where and we can communicate that outwardly to the community. With that I will stop my presentation and if there are any questions for dan or myself we are here.

**Wheeler:** Colleagues, any questions he? Commissioner Hardesty has a question.

**Hardesty:** Thank you, Commissioner Rubio and thank you so much, Dylan, for that presentation. My question is simply do you have this agreement with other school districts as well?

**Paul:** We have several different agreements throughout but PPS is definitely the largest school districts and has the largest athletic programs. We are always open to those sorts of collaborations. There hasn't been a strong need in my understanding from other districts but we would always be open to those discussions. We are always on the lookout for more gyms. It's really expensive to own and maintain and as you may know our golden ball program is very popular and are always looking to find use of existing gyms rather than building new ones.

**Hardesty:** Thank you for that response. You know I live in east Portland and I know that east Portland is a desert when it comes to positive activities for young people to be involved in and as we know the most [indiscernible] also in east Portland so while I am happy that Portland public schools has this opportunity I don't want that opportunity to be lost to other kids who don't actually go to Portland public schools. I'll stop there. Thank you.

**Wheeler:** Colleagues, any further questions he? Keelan, do we have anybody signed up for public testimony on this item?

**Clerk:** The person who polled is Devin Cole, but I don't believe they are here.

**Wheeler:** Very good. This is an emergency ordinance. If there is no further questions please call the roll.

**Clerk:** Ryan.

**Ryan:** Aye.

**Clerk:** Hardesty.

**Hardesty:** I am going to vote "yes" today but I hope when you come back with the next contact that we have actually embraced other school districts with the most diverse

student population, within the city of Portland. We actually have five school districts so I am always concerned when we only -- that's six, and I am always concerned when all we do -- what we do is so focused on only one. We have a lot of kids that need this opportunity and I am disappointed that we are only working with Portland public schools to some but I vote aye.

**Clerk:** Mapps.

**Mapps:** Aye.

**Clerk:** Rubio.

**Rubio:** Thank you Dylan and Dana for it can here on this agreement. I vote aye.

**Clerk:** Wheeler.

**Wheeler:** I also vote aye. The ordinance is adopted. Colleagues, that completes our business for this morning. We are adjourned until 2: 00 p.m.

**At 12:35 pm, 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.

May 18, 2022 2:00 p.m.

Com

**Wheeler:** This is the May 18, 2022 Wednesday afternoon session of the Portland city council. Keelan call the role

**Clerk:** Good afternoon. [roll call].

**Wheeler:** We will turn over to the legal counsel. Good afternoon

**Lauren King:** Good afternoon. Welcome to the Portland City Council. The city council is holding hybrid meetings in addition to electronic attendance. If you wish to testify before council in-person, you must sign up in advance on the council clerk's website. You may sign up for communications to speak about any subject. You may also sign up for public testimony. In-person testimony may occur from one of the several locations. Written testimony must be submitted at [cc\\_testimony@Portlandoregon.gov](mailto:cc_testimony@Portlandoregon.gov). Please disclose if you are a lobbyist. If you are representing organization, identify it. The presiding officer determines the length of testimony. Individuals have 3 minutes to testify unless otherwise testify. Disruptive conduct such as shouting or disrupting others, may not be allowed. If there's disruptions, a warning may be given.

**Wheeler:** Thank you very much. We are back today to continue the work on the ease zone project. Keelan, can you read item 421

**Clerk:** Adopt the environmental overlay zone map correction project amendment title 3 zoning maps and rezoning inventory and supersede watershed conservation and protect shun plans.

**Wheeler:** First information from the city attorney.

**King:** I think I have covered it all. We can turn over to the staff.

**Wheeler:** Thank you, colleagues. We will be holding hearing on the residential infill project part 2. RIP2 can be found by visiting the map app -

**King:** Council, we are covering E-Zones. RIP is tomorrow

**Wheeler:** Am I reading the wrong one?

**King:** Yeah.

**Wheeler:** I'm sorry. Commissioner Rubio, I apologize

**King:** Today's e-zone item number 421.

**Wheeler:** Thank you.

**King:** I do have -- I have the run of show if you want to locate it.

**Wheeler:** Apparent what I got is not accurate. Go ahead.

**King:** Would you like me to read it?

I can do that. The public testimony about the proposal can be found by visiting the map app and clicking the link

**Wheeler:** I'm sorry, isn't that what I was reading?

**King:** You were reading about the rip location.

**Wheeler:** My talking points not just be right. You take it from her.e

**King:** Okay. Clicking the link that reads public testimony and the written record on the ease project website. The ease project using updated technology. We heard testimony on April 16 and April 14 and moved to the amendments on April 14. Today council will be voted on the ease ordinance and documents to reflect exhibits. BPS E-zone, Daniel is here to walk us through today's agenda. Daniel.

**Daniel Soebbing:** Thank you. Hold on just a moment. I will share my screen. All right. Good afternoon, my name is Daniel. I'm with the bureau of sustainability. I'm here to talk about the ease zone project. Today's is continuing on the ease zone project. The purpose of this meeting is review changes that you approved to the ease zone project

on the last hearing and approve the amended ordinance package. You voted to approve five amendments to the ease zone project. Staff incorporated the changes that you approved in the proposals. You will vote today on the as amended package. The amendment to the septic standard and technical amendments and natural resources inventory special habit area criteria -- as amended package includes ordinance reorganized and edited to reflect the amendments you approved and finding of facts edited and testimony heard in previous hearings and there's 20 exhibits included in the package. I will describe the exhibits. Exhibit a are the amended finding. Exhibit b through k are the ease zone document projects. Exhibits l, m and n and o are amended projects of adopted rezone plans. Amend p is inventory. Q, r and s updated versions that are used to confine constraints. The BLI identifies to informed the analysis and these maps are updated with data. Exhibit t is a table that explains the relationship between the ease zone project and natural resource project plans. Exhibit u is a table that lists adopted resources protection plans. Thank you, that summarizes the ease zone ordinance package and that concludes the presentation. I will be available to respond if you have questions. Mayor

**Wheeler:** Thank you for that. I think what happened here. I'm looking at my talking points. They're good but there was cut and paste paragraph that got added. I apologize for the confusion, colleagues. I would like to introduce the amend the amended package as single item and not as 20 items. I'll seek a motion to approve the environmental overlay zone map correction project as amended package. Can I get a motion

**Hardesty:** So moved.

**Wheeler:** Commissioner Hardesty moves. Can I get a second

**Rubio:** Second.

**Wheeler:** Very good. We will vote to pass as a second reading. Would you like to take us a vote on addition of the package or hold that open?

**King:** Council, can move to vote on those amendments as Daniel described them and as the motion discussed it would be moved as a package.

**Wheeler:** Can we take a vote on the one package now.

**King:** Yes.

**Wheeler:** All right. Call the role, Keelan. [roll call vote].

**Rubio:** I would like to thank Daniel and the BPS that you put on the project. I vote aye.

**Wheeler:** Aye. Thank you, all very much. Legal counsel, do we go to next steps or anything else that we need to do at this point?

**King:** Next steps. Daniel, will cover when we come back and what that will look like

**Soebbing:** The ease zone project will return on may 25 at 1010 am for the second reading and final vote on the ease zone project. After that, staff will work on implementation. The effective date of the changes of the zoning code and the official zoning maps will come into effect October first, 2022

**Wheeler:** That concludes the ease zone item for today. We will continue the conversation on May 25, 2022, at 10: 10 time certain. Anything else on this item today?

**King:** No.

**Wheeler:** That concludes item 421 for today. We will move to item 422. I will still be on, but I will pass the gavel to you Commissioner Rubio to you.

**Rubio:** Thank you.

**Clerk:** Actually, we will need to wait until 3 p.m. This is 3 p.m. Time certain

**Wheeler:** Hang on. Yeah, they're all 3 p.m. Time certain. We will take recess. Commissioner Rubio, if you would be kind and gavel us back I will appreciate it. We are in recess.

**At 2:10 pm, Council recessed.**

**At 3:00 pm, Council reconvened.**

**Rubio:** Oh, we will get started. So Keelan, can you call the next item. Thank you

**Clerk:** 422 revised solid waste and recycling rates and fees for franchise residential collection effective July first, 2022.

**Rubio:** Thank you. So we're bringing this ordinance to council to adjust rates and fees associated with waste collection. Every year in according with the franchise agreement, the bureau of planning sustainability conducts review of the monthly rates charged to residents. Rates are adjusted to cover the costs to provide services and incentivize waste recycling and residents and businesses are recycling and composting half the waste which is higher than the average of 32%. Portland is committed to being livable and clean city. Bringing services to southeast Portland this past fall and this coming summer. Recycling trash collection programs are funded through a free charge on each ton of garbage collected from businesses and multi-family properties. Fee increase for the first time in four years. I will turn over to BPS interim director Donnie Oliveira, with the waste collection team to share their recommendations.

**Donnie Oliveira:** Thank you, Commissioner Rubio. Good afternoon, commission. Daniel Oliveira for the record. Today we are requesting approval to adopt residential rates and commercial fees. I would like to share points for your consideration. First and for most, I want to express gratitude for the workforce responding for delivering compost to residents. To ensure that residential carts and cans and dumpsters and bins never stopped being service. Easy to take for granted in organic material. This is really hard work with tough hours and waste companies continue to shine so Portland can be a leader of recycling waste recycling. Second, it is impossible to discuss the waste program without encourage we face with the city. Community events. BPS has been at the table to address the challenges of illegal dumping and other issues beyond the residential business and multi trash service. We remain committed on governor's

emergency declaration. We are already to take the work with the city with you all. With that, I will turn over to my colleague. Thank you.

**Arianne Sperry:** Thanks, Donnie. I am Arianne. Policy and program coordinator for BPS garbage and recycling team. I use she/her pronouns. I will do quick orientation. We come every year to adjust the rates. This year, we're recommending increase to the commercial tonnage fee. Finally, I am going to provide update on the city-wide extension of the public trash program. Portland has two distinct for collecting garbage recycling and composting. Residential system serves single-family homes. There's nine franchise that operate in designated territories throughout the city. The city sets the levels and the rates that can be charged, and the rates include 5% fee that funds management. The commercial serves businesses and multi-family properties and includes construction and demolition debris. It is open market system. Customers can get bids from the 26 haulers that operate in the city. They can negotiate the services and rates. Haulers must get permit and comply with the city code and rules, and they also report quarterly to BPS, and they pay a fee which is set at \$12.60 a ton. Just a background there. Now, I will move to the residential rate review. So hauler submit financial records from the previous calendar year which are reviewed by accounting firm. Using the previous year's costs of base, we added fuel and waste projections and changes in the fees charged at the regional transfer station for dropping off garbage and composting. Inflation and costs projections are applied to the actual costs of providing the service and not across the board to the existing rates. Reduce operating costs can mitigate the upper pressure on the gates which is something that you will see happening this year. Rates are designed to recover the costs of providing service, plus the target operating margin and then the franchise fee paid to the city as well. Once we have the costs of service rates, the smaller service levels are discounted. In terms of process, earlier this spring, we review the rate making process with the planning and sustainability commission and conducted a hearing and recommended the proposed

rates being considered today. Less look at the primary rate drivers this year. Regional fees to unload material at metro transfer station will include 70%. The costs for the bio diesel that haulers used increased 18%. Wages are projected to rise about 5%. And inflation is for costs around 7 on annualized basis. Offsetting those drivers are, for one, improved recyclable materials market. When recyclables market shifted in 2017, lower prices and shorter costs, resulted in haulers for processes the recycling. Lower processing charges to haulers that's really good news. In addition, several years ago, haulers vested in new trucks to comply with requirement to buy newer trucks that did not emit air pollution. As those trucks get older, reduce did the appreciation continues to offset other anticipating costs increases. How does it all shake out?

Rates are proposed to increase by 1% or 0.35 a month for the popular service level for the cart collected every year. Note at the bottom of the slide, we are recommending increase in the terrain fee which is applied in areas of Portland west side where low street connectivity and larger lot and narrow roads increase the costs. Due to increases in fuel costs and wages mentioned earlier, we need to bump the terrane up 0.30 or 7% to 4.85 a month. I included this analysis because it is interesting for council to be aware. This it shows the rate the 35-gallon rate. The dotted shows the rate adjusted for inflation in 2012 dollars. As you can see, Portland residents and Portland haulers are each doing their part to keep garbage and recycling rates low. They're continuing to recycle and compost the waste which saves fees at recycling stations. Provide residential service at a price that beats inflation. This is a program that we can all be proud of. Moving on to the commercial tonnage fee. As I mentioned, permit haulers that provide waste collections for businesses and multi-family properties, the fee covers management of the waste collection program and helps achieve greater recycling of composting, expand, public waste trash station across the city and improve services for multi-family services while addressing racial equity. The last increase was 2018. Rising costs, BPS, recommends increasing by 2 dollars a month. If next week, you vote to adopt the new

residential rates and commercial tonnage fee, they take effect July first. I also wanted to take a minute to let you know about upcoming efforts. You will hear more about in 2023. We will be looking to launch the review of agreement. Look at franchise agreement and residential system and make sure it is meeting our needs and helping the city to achieve the goals. We are looking on the process and share in the coming months. The team is gearing to support large and medium in meeting timelines for food collection in 2023. That's pretty exciting as well. I also wanted to share an update on our public trash program expansion. You are probably aware that we have been expanding city wide with new trash cans displaying local artwork installed in businesses throughout the city. In 2019, the program included about 750 trash cans. To grow to 1700 by 2024. The expansion launched in east Portland with 217 new cans installed during the summer of 2020. Then, 180 trash cans added to southeast Portland in the fall of 2021. More than one hundred cans coming to Portland and 150 coming to northeast Portland next winter. Over the next two year, the program will expand to northwest and southwest. The feedback that we received from businesses is overwhelmingly positive. We are excited to bring the service to new areas of Portland. And now, we are available for answer any questions

**Rubio:** Great. Thank you, do any. Colleagues you have questions before we move to public testimony?

**Mapps:** Comm. Rubio, I have a question but let's take public testimony first.

**Rubio:** Yeah, okay. Let's do that then

**Clerk:** We have a person signed up. Beth Vargas Duncan

**Beth Vargas Duncan:** Good afternoon, mayor wheeler, and members of the council. I'm religion all for the oregon and recycling association. I represent the Portland haulers association which we call PHA. Every Portland hauler providing recycling and garbage service is a member of the PHA. The majority of members are family companies, and the family companies are women owned which is a point of precede in the city. Committed

to the service of people of Portland and meeting rigorous standards while providing residents with affordable and efficient responsible operations. This commitment has been seen and felt during the wild storms and during covid. We have been committed to our partnership with the city and the city council. Together we have built progressive and recognized residential franchise waste collection program modelled for recycling and access to the same service no matter where they live. Other accomplishments including feet standards, installing side guards on the trucks, and advancing equity and inclusion and workforce and vendor networks. Listening to the needs of the city and finding pathways, we proudly partnered with the city of Portland. Thank you for your funding. Work systems, southeast works, and interstate trucking academy to develop in the Portland program. We trained and graduated who are qualified to drive highly skilled trucks. I share this information because we don't share enough, and we want you as city councilors and the residents of Portland more to know of who we are and the values and the commitment of serving the people of Portland. This brings me to the topic today, rate review. PHA members, we engage in review process which we support and is important for the integrity of the franchise system and people Portland know that they're getting a service at rate that is fair. Through the process, works with the city providing information as indicated by staff already. PHA believes the rate review and setting process has the right balance of independent review and transparency to assure reasonable rates for the haulers and the customers we serve. The city council adopt the rates as presented by city staff. We look with partnering wear glasses the city in the future and I'm available to answer questions

**Rubio:** Thank you so much, Beth. Does it conclude testimony?

**Clerk:** It does.

**Rubio:** Thank you. Commissioner Mapps

**Mapps:** Thank you, Commissioner Rubio. I might ask Beth to weigh on this. Not sure if right person to respond here. Question on recycling. Back in 2018, China announced it

would stop accepting recycling products from the united states, I think, Europe too. For a couple of years there, it seemed to through municipal recycling programs in chaos. Based on what I saw in the presentation today, it looks like the recycling market has recovered to some degree. Wondering if someone can provide background how it happen and where we are today with the recycling market? I don't know if that's a question or Beth something that you want to take?

**Vargas Duncan:** I see Arianne went off mute, but I can take a stab.

**Sperry:** I would have very overarching comments to make.

**Vargas Duncan:** I would be the same. A lot has happened over the several years. Not to overlook the pandemic at the same time. Recycling is a commodity market the each of the commodities that are collected in the blue cart go to a variety of different markets. We tend to recognize if there's one available market. That doesn't mean it is a stable market because it is a co modify did I. When China and other countries have stopped taking some of the material, we went back to look as to why. Part of it is their priorities changed. We learned that we need cleaner and less contaminated material going out. We doubled down efforts and worked together with regulators to help us reduce contamination. Continue consumer/customer education and focus on how to provide a better material to the markets that we have. We also have looked at our responsibilities to what we do with our products, our waste, and our recycling. We look at making sure that what we collect goes to responsible place and doesn't end up in a country that maybe cannot handle it properly. Does that help answer your question, Commissioner?

**Mapps:** Yes, it does. Does staff have anything to add there? I'm satisfied with that answer

**Sperry:** I think Beth hit a lot of hot points there.

**Mapps:** Great. Donny

**Oliveira:** Commissioner, I was going to offer the issue at place supply chain. As fabric gets cleaner, as Beth mentions, recycling materials competing with co modify did is. Recycle material is readily available like other resources we will have better market and the manufactures will have the readily material. That's there too. The national supply chain issues

**Mapps:** Great. Thanks, Beth, and staff for the clarification on this. This is a good news story. Frankly, I have not read in the papers. It is great to see the resilience and creativity in the industry. Thank you for your testimony, Beth. Thank you staff for being here. I have no more questions

**Rubio:** Great. Thank you, Commissioner. Any other questions from my colleagues? No? Okay. Well, thank you so much, Donnie and Arianne and Beth for being here today. And since this is the first reading the item will move on to second reading. Thanks, everyone. Keelan, would you read the next two items together, please

**Clerk:** (reading item 423) (reading item 424)

**Rubio:** Thank you. I'll turn over to Commissioner Mapps

**Mapps:** Thank you, Commissioner Rubio. Colleagues, the directors of the water bureau services will join us to brief us on proposed rates for storm water and sewer services for the next fiscal year. Despite extraordinary challenges water and environment all services have figured out how to with the guidance. That was not easy to do. Both bureaus phase historic inflation pressures, rising labor costs, increase regulatory requirements and supply chain issues and the challenges created by a global pandemic. Now, despite inflation rate which is currently running about 8%. Water and environmental services propose a 4.85% increase in combined utility rates for the next fiscal year. For the typical single-family home, that should translate into increase of about \$6.26 a month. Here to tell us more about proposed utility rates, we have Gabe, director of water bureau and don. Interim director of environmental services and I want

to point out for the sake of history. I believe this is the first time Dawn has appeared before us in current role. Welcome Dawn and welcome Gabe

**Dawn Uchiyama:** Thank you, so much Commissioner Mapps. That was great welcome. It is the first time. Thank you mayor wheeler and members of council for inviting us today. Keeping in the practice of the last few years, I'm here with Gabe and we're going to present and discuss the rate ordinance that proposed the mayor's ordinance and co-present the material providing file of both utilities. Revenue and expenditures and where the money goes and compare to peer utilities and look to projections and end on promising news regarding on affordability and debt relief. If that sounds good, we will get started. There's a powerpoint that will be cued up. Very good. Thank you so much. You can go to the next slide. So I'll start with the mission of environmental services. That's to preserve and restore the health. We have the responsibility to protect public health, water quality and the environment by providing treatment services to accommodate Portland future needs. Our objectives for this year, are to maintain the current service levels, advance the city's equity and inclusion goals, participant in asset infrastructure and ensure compliance and environmental leadership. Most importantly, to stay on track with financial sustainability in long range strategy that modest the increases that cover inflation for capital expenditures and mitigate the risk of infrastructure now and in the future. Next slide.

**Gabe Solmer:** Thanks, Dawn. Good afternoon, mayor, and Commissioners. I'm the Portland water bureau director. We are primarily a public health organization highly regulated. It is one of the biggest ways that we live values and priorities. The rate proposing today will allow us to follow the guidance in year's budget and the direction of the Commissioner. Next slide. First, we will review the Portland revenues which are generated from rates and fees. Expecting revenue and water is expecting 383.1 million dollars combined revenue. For BES, closed to revenues -- as we know, customers get a bill for both utilities and we share close to 180 accounts. Next slide, please. Next we will

look to expenditures. 648 point 8 million dollars for a total combined requested of one million dollars. Of that, approximately one third is for operating costs and two-thirds for capital investment. Both in the past and debt service and current capital improvement programs. Next slide. Here's just a look at the asset condition. Blue for water and green for BES. You heard from infrastructure of bureaus beyond the utilities through the process the value of management and offices were able to sites across the space. You have seen the work across the process. Our capital programs is why we have over 80% of the infrastructure. The rates that you approve allow us to maintain the system for both of the systems for future generations. Just to make sure that we are using the funding wisely, we have robust programs that help us identify which assets to replace, which to repair and which to rent a failure. Risk and costs benefit analysis. Equity is ongoing criteria and consideration for us in the asset management programs and BES and water coordinating on asset management software we do have 4 billion dollars for both bureau combined in the poor categories. Then, you will be 4.5 billion dollars in asset condition on the far right of the slide. Don, do you want to give quick note on what it covers?

**Uchiyama:** Yes, a few years ago we launched an aggressive asset condition assessment program and we're currently in the process of getting more information, more data on both our pressurized force mains and storm water system. The assets that fall into the category are mostly and we have a program in place now. You can expect in the future years to see the data gap be closed

**Solmer:** Great. Thanks Dawn. Next slide. Just as you saw good news on the columns that represent our infrastructure investment. When we make the investments, we are contributing not only to sustainability and longevity of the assets. We are fulfilling the regulatory that both bureaus have. Both bureaus are leaders in climate resilient plans and the projects that get us to the goals provide engine for equitable economic recovery in the region. We're not alone. Every jurisdiction is dealing with aging

infrastructure and rising inflation. We have to invest in reliable system that's what will attract growth and businesses. We need equitable recovery and we made it clear. Those -- impacted by the pandemic are a strong part of its recovery. Next slide. Great. Before we dive into the mechanics of the ordinance, I wanted to review how money the customers pay for the utility bills is invested. These rates do support a mix of infrastructure maintenance and environmental stewardship and key utility services across the board, part of the economy and community. We use the pie graph to represent how they support the strong water and sewer systems.

**Uchiyama:** Next slide. This is the slide focus of the discussion. We have three categories. Retail rates, system development charges and fees. As noted earlier, the first category retail rates are primary revenue source. Water proposed increase is 7.7%. The second category is SDC. It is important to note here the utilities SDC on reimbursement basis. The promise here, new customers plan to a system already built to accommodate new customers. The charges are calculated on the value on the constructed assets. Any reduction to the proposed charges cause a shift to rate pairs paid in the system. This year, water is proposing 24% increase and BES increase of 28% dependent on the development type, and we included examples here. Third category is fee. This category we are maintaining costs recovery for labor and materials. This category, wanted to provide relief and encouragement during the pandemic. We froze the fees in 2021 and we capped at 5% in 2021-2022. We are cost recovery. Those are the overviews in the three categories

**Solmer:** Dawn, if I can interrupt for a moment. Question that might on some people's mind in the presentation. You can see the water system development charges that don't went over the 23.4% is high. I want to draw your attention to that. As Dawn said, SDC are one-time payment for those joining the water system and they pay at the time they join. You see jump up in the value of the system with incompetent proofed corrosion system and the improvement to the recertify vary and the upcoming filtration

plant. That's increase in value to the system. With that increase, comes the SDC's. In few slides, we have comparisons to other jurisdictions and showing that we are low by comparison. It is a big increase in one year. When we did put together, we look at alternatives. We wanted to be very careful about what we are proposing. One clear option would have been going to go to lower increase which would result in less revenues and it would have required in other revenues to make the difference. That would have increased the what the customers paid in usage. Or if we didn't increase water rates to make up the revenues, we would have reduced service or lower the level of service that we provide and we have limited opportunities to do that given that most is regulatory driven, and we prioritized public health and maintaining the water system. Obviously, equally important is the financial systems program that we have. So, there wasn't a lot of good options there. Spreading the increase more overtime. That was not viable option, given that we will be making the increases to the system. Increasing the value of the water system with the filtration project, SDC expected to tin crease with that with the increase of the value of the system. If spread out, we would push the problem and increasing the problem even more in the future. So, we don't want to differ to those joining the system later. Lower increase now, we have to find the funds to maintain current service levels. I want to share; we shared the approach with the development community through the development review advisory committee. They did not voice concerns with this. Like you'll see water SDC are fairly low. Even this increase was not a concern. And I'll just share that as a member of the permanent streamlining task force, we have heard that the timing of the permanent review is bigger concern for community rather than 864 dollars increase. We do know, obviously, that any increase has impact. We are continuing to keep in place the waivers for affordable housing. It will not impact affordable housing. Just wanted to make sure that audience knows that we have been looking at this

**Rubio:** Great. Commissioner Hardesty, you have a question

**Hardesty:** Yes, I do. Thank you director forgiving for detail on the system development charges. I'm surprised that there was not push back. I mean, you know, in order to bill new housing we have all of these fees that we keep charging folks. And the water fee just pops out as really, really huge. At a time we are trying to not increase fees significantly. And so, my question, why this huge increase in one year as compared to spreading it over a couple of years?

That's one question. Then, second one. Is if we are increasing the costs of single-family dwelling by 9.2% that's going to be passed on to people who today can afford in the city of Portland. I'm concerned that collectively these fees seem to be really, really out of whack with the fee increases that other bureaus have proposed so far. Any explanation would be helpful?

**Solmer:** Sure. I'll take the first question. Then, maybe pass it over back to -- to talk about the 9.2%. The SDC is driven on the value of the system every time there's new connection made. We have been in maintain mode. You would have seen, increases were in the 8, 10, 11%. You are absolutely right to call this out to say it is a big jump. What is it is based off of, construction index in terms of the value that we're adding to the system. That just means there has been a lot of capital projects come online. The reason that we are not shooting over longer period of time, we are tending to add in the system in filtration over the next few years. It would be kicking down the can down the road and not solving the problem

**Hardesty:** What's the definition of affordable?

**Solmer:** For the waiver?

**Hardesty:** Yes.

**Solmer:** To the waiver. I will let finance director if she has the dollars. Not set by us

**Hardesty:** Who set by?

**Solmer:** Do you have that criteria available?

**Hardesty:** Everybody has a different measurement and if we're talking poverty line. We know it has a move and generation, right, it is important that we know what income level we're talking about that there's hope for people to get relief from these huge increases

**Solmer:** Sure. Understood. Let me pull the information and maybe have don answer the other question while we get that to you

**Uchiyama:** Thanks Gabe. I will turn over to ken

**Ken Bartocci:** Ken, financial planning planner. The BES SDC is a product of the SEO system that we completed in 2012. We have a different methodology than water. We incremented the asset value every year. We do it based on the bonds used to finance it. If we reduce that number, we transfer those costs to people bought into the system. That's how we arrive at the 9.2%

**Rubio:** Okay. Commissioner Mapps

**Mapps:** Yes. This could be a teachable moment. I'd like to ask the directors. As I understand it, the pricing model for SDC charges in water and environmental services works differently from the SDC charges that we see in a lot of other bureaus. That's a subtly about which I am still learning. Could you remind us why and how the SDC charges in the utility bureaus works differently than in parks or something? Anyone? I'm not sure who is prime to take that

**Bertocci:** I'll take a stab at it. Reimbursement of SDC, we are essentially paying for. We paid for the infrastructure built into the system. Folks when paid the SDC, they're paying to buy into the system. Should be forward looking, paying for future improvements to the system. I'm not sure if that answers the question completely

**Mapps:** Unless someone has anything to add, that satisfies my question. Thank you

**Uchiyama:** Thank you, Ken. Gabe, are you going to add anything more?

**Solmer:** Just I want to make sure that I am giving Hardesty the information that she was requesting. To make sure I understand the question there, there's concern about

the affordability index used for the waiver. We know that there's a priority. We know SDC support the system. As city, we provide a waiver for projects come forward that build affordable housing. As a city and policy, this council has made decision that a waiver from these SDC is necessary to encourage the type of development. I think, Commissioner Hardesty's question was about where we draw the line. Affordability has different definitions. Anyone has that at the tip of their tongue, we will get the information and send to whole council after.

**Uchiyama:** Great. Thank you, Gabe. Ready to move on to the next slide

**Rubio:** We have quick question from Commissioner Ryan.

**Uchiyama:** I'm sorry.

**Ryan:** Thank you. And I have a question that's trying to connect the dots between the assets, in poor shape, perhaps rate increases. Is there a dot connection what we do with the revenue and what I saw earlier on the poor and very poor assets?

**Solmer:** There's certainly a connection with asset plan. I don't know if it is one-on-one type of issue. Both bureaus have managed to keep assets money in good and fair conditions columns, we invest in those replacement and repair. Not all of the funds are going to the poor and very poor. You would see asset management plans developed, to determine, should we run the asset to failure. Is that the most cost-effective approach in this or something to bring out of poor and very poor conditions risk of failure if they should fail

**Ryan:** Longer conversation about having better knowledge about those in poor and very poor shape and what's the severity of that concern. The infrastructure tour, of course, I was overwhelmed with concern after that, and I am trying to figure out which are in those categories. Big is the most important thing to survive. How are these assets -- how are the revenues going to protecting that?

I know that you know this, but it is longer conversation. That's the bigger picture thought that I have behind my question

**Uchiyama:** There's a slide in a little bit that we look at the pattern of the rates. You see the connections of the needs and the rates

**Ryan:** Thanks. I probably should have waited until the end

**Uchiyama:** That's okay. Let's go to the next slide. We will move from SDC and go back to our rates and look at typical monthly bill for single-family residential common reference points to illustrate the impact of rate payers. The difference between current single and future residential bill with proposed rate change. It also includes changes in low-income customers. You can see we have two here financial assistance program. For example, single-family residential customer currently pays 128 dollars. Will pay 134. Which is 6.24 increase. Tier one. Who is at 60% of medium family income. Tier one low-income program. Currently pays \$65.02 cents will pay 68.14 which is \$3.12. Tier two customer currently pays \$26.81 and with these increases would pay \$28.07 with a 1.26 increase. Next slide

**Solmer:** I will take this one. As promised, where Portland fits in when we compare peer utilities. You can see in the middle of the pack of similar utilities. One reason for this is many of the utilities have completed filtration. Filtered systems but not addressed combine sewer overflows which is what they did with the prime project. More of these jurisdictions complete the programs and as Portland completes the filtration program, we would expect to stabilize to see us remain in the middle as compared to the utilities. Next slide. Then, anticipated more interest in SDC, system development charges. Again, in the middle, maybe towards the bottom for SDC. One of the issues that this brings up, it would be more expensive to develop and join the water system almost anywhere else. Some places two or three times more expensive. For water, as we talked about, we have these little SDC. We have been in maintenance mode. As we bring to improvements to the system, infrastructure that poor and very poor condition. Also, new issues. We didn't have the crossing that's new project and that values to the system. We expect to be increasing over the next few. Next slide

**Uchiyama:** Great. Commissioner Ryan, this is the slide that I was referring to. Historic pattern of the rates and projected pattern and the gray line -- vertical gray line demarks where we are today. The top blue line water. What you don't see, obviously, in the illustration is that BES rates are coming down from the SEO project what Gabe mentioned which at one point brought into the 7%. So you can see the green line going down but much higher to the left several years ago. What you do see in the pattern now is the projects that Gabe mentioned. You see peaks in the water rates with the reservoir projects and filtration. What's important for us and I mentioned earlier, key goal, in our financial strategy and our forecasting, long-term planning horizon. We are in the one-hundred-year business. These adjustments that we make to the rate are meant to reflect the commitment of looking at overall strategy. Commissioner Ryan, did that help address your question?

**Ryan:** Not really. It is not your fault. I got distracted by the graph. The rates are never going down. They're going down by less some years than others, right?

**Uchiyama:** That's correct, I'm sorry.

**Ryan:** To go down they have to be below zero percent, right.

**Uchiyama:** The increases are going down. You are absolutely right

**Ryan:** That's fair for the public to hear the correction, that's all. I know you want me to connect the dots from the earlier statement. I can't. Can you give me a couple of sentences that enlighten me

**Uchiyama:** As we are engaging in robust and a set management and getting on the costs of the risk and costs of aging infrastructure, able to project those bigger costs that are on the horizon. And we are -- as we adjust rates looking at the costs coming in. The categories of poor shape or unknown that data is coming in now. Again, as we mature the data and analysis will be able to bring the information forward into the forecast. We are bringing the live data in real time ways that help us get clear picture of where the rates are going

**Ryan:** Earlier, when you had the compare rates with other jurisdictions nationally and locally, that was really helpful. I wonder if there's a way to do the comparison on the assets. And see if the ones that the ones that have higher rates have the assets in better shape

**Solmer:** I think anecdotally from what you saw as asset management sure and the conversations we had b-bot when we look at parks and investments where they have been made and not made, again, anecdotally, you can see the connection.

**Uchiyama:** I will mention, both bureaus are involved in national effort asset management effort. We are communicating with our peers and learning from each other, and I think we can -- next time, bring the analysis along. We are starting to share the information across the country now

**Ryan:** Thank you.

**Uchiyama:** Yeah, good. Next slide. And so, even though we do our best to project where we are heading and anticipate where we see increase costs there's always uncertainties. This slide summarizes the volatility forces. We know and reference at the beginning of the discussion, inflationary pressures are around us. Labor costs and material costs are increases as we speak. Expect growth in the capital programs as we address the asset management risks that are brought forward. There's, of course, Portland harbor. Continue close watch most vulnerable communities in an affordability program that we offer. Gabe will talk about that in a little bit. We have the operation and maintenance of the infrastructure and permit compliance. We have economic and we do the best to open. There's strong head winds around us and continue to monitor that. To wrap up, like to end with good news. I'll turn over to Gabe to highlight the work that we are doing around affordability

**Solmer:** Thanks Dawn. We can go to the next slide. So we made Dawn in her day view here at council talk about the storm clouds gathered. I got to talk about some ways that we are dealing with that rough weather. We know that our customers have varying

abilities to pay. We know that the pandemic has not been consistent in its impact on all of the customers. We have targeted programs to support the customers. We have built discounts of 50% and 80%. Earlier in the pandemic we waived eligibility for the pandemic to get people in the program as quickly as possible and looking at how we can continue some version of that to provide more access to the programs. And which are at 60% and 80%. We also provide assistance to customers who are going through crisis through the programs. I will highlight anyone can take advantage of payment plans so you can make progress towards the bill even though if you can't pay at once right now. We are managing costs which will help minimize the rate increases as Commissioner Ryan pointed out to keep rates affordable for more people. Then, I just -- next slide. I thought I end with examples that show both bureaus commitment to a forward built and supporting customers no matter what. First, float. It was ARPA funded program launched in March. Customers started receiving bill credits. We're able to support everyone who applied and given really thoughtful outreach and strong partnerships with community engagement liaisons and arco and Verde did he and the alliance for Pomona leadership and we strong response. I will share that when we sent notice this week, we got first response and customer wrote. Let's see. Thank you. Thank you. Hopefully, there's a kind person at receiving end of message. I am in tears here and grateful. This is a huge weight off of my mind. We are helping people with everyday concerns, and it is cumulative. Absolutely, we understand that. I will highlight the match program. We are matching payments made by customers with funds from the general fund. This is the one exception to the bureaus not getting general fund money. This was an incredibly helpful use of general funds to run the match program. Already surpassed the statistics. We are up to \$400,000 matched up to one thousand payments. It gives incentives for customers to get current so we can find the right programs for them. Ultimately, it reduced arrears, so the costs doesn't fall to all customers in the form of increased rates. Next slide. Finally, I just want to thank you for your time and the

conversations. I will close by saying. We welcome and understand the diligence that you and your staff have shown of reviewing these rates at such pivotal time in city's history. We believe rate increases proposed today are essentially component of long-range financial planning strategy. Necessary to cover inflation in our operational and capital expenditures and to mitigate the risks of failing infrastructure as we talked about and deliver the core services affordability and equitable in our community. Thank you. I think we can take the presentation down and answer any questions or take public testimony

**Rubio:** Great. Colleagues, any questions?

**Hardesty:** Is the public testimony -- my questions can wait if we have public testimony.

**Clerk:** One person signed up.

**Rubio:** Let's proceed with that.

**Clerk:** We have dee white.

**Dee White:** Hello. Can you hear me?

**Clerk:** Yes, we can.

**White:** Can you hear me?

**Rubio:** We can hear you.

**Dee White:** Thank you. Hello. My name is dee white. I'm speaking on behalf of the part advocates for live free drinking water. Today, I would like Commissioner Mapps and water bureau director, why is it comprehensive free filters programs not in this budget. In November, show lead levels the highest in two decades. Example, Seattle lead testing results were two parts per billion. Portland's was two parts per billion. This happened in November two months before they started to work on the proposal and ongoing right increase. Why aren't the vulnerable being protected?

At the very least, Portland vulnerable including pregnant women, babies and low income should get free filters until the water bureau does the job and minimized lead at everyone's tap. According to the bpa, we know that 80-90% lead exposure can come

from drinking water and impacts can come from adjusting water. Again, in november, the water bureau ran in at 21 parts per billion. As we know, the water bureau lead crisis is system wide throughout the city. They have free filters program going on, as I speak, implementing treatment and replacing pipes. What's wrong with Portland?

Why is this not happening here? Today, I would like to ask Commissioner Mapps and water bureau these important questions. Why is it comprehensive water filter program in the budget and not free filter program implemented after this acute lead problem presented itself in November? That's it.

**Clerk:** That completes testimony.

**Rubio:** Okay. Thank you. Any council discussion?

**Hardesty:** I just want to go back and acknowledge. Thank you for the information about what the low income was 30% and 60%. As we know, for family of four, maybe family income in this area is 96900. I have to tell you there's a lot of people at the median in this community. 60% even seems like not enough, right. 80% would be better and one hundred percent would be better. You said someone else accepts the rate. Who is the someone else who accepts the rate?

**Solmer:** In addition to the projects that come forward that qualify for SDC waiver, and I'm not sure how it works. I did put in the chat the bds requirements and rules

**Hardesty:** I didn't want to go off and read that.

**Solmer:** Of course.

**Hardety:** Anything that was going on -- okay. When you send me the information, I will answer the question. BDS is the one that assess the rates?

**Solmer:** It is definition of affordable housing shelters and affordable call out projects that receive SDC waiver from water and BDS-SDC's.

**Hardesty:** Did you want to add something on this?

**Cecelia Huynh:** Thank you, Commissioner. It is not bds, it is the housing bureau. Part of the qualification is based on the purchase price, and it is set by city council. As Gabe

mention, information on the SDC website that I am reading off of. It does provide income guidelines as well

**Hardesty:** And can you tell me because I haven't looked at it, the last time that the city council adjusted the rate?

**Huynh:** Mm-hmm. That information is not on the website

**Hardesty:** All right.

**Huynh:** I'm sorry. It sets annually by housing bureau through city council

**Hardesty:** Huh. Okay. Commissioner Ryan, I will be talking to you when the meeting is over

**Ryan:** I just knew you were going to say that Commissioner Hardesty. On it

**Hardesty:** Appreciate the information.

**Rubio:** Okay. Any more discussion?

Okay. Thank you Commissioner Mapps and thank you Gabe and Dawn for the presentation Cecelia for being helpful too. First reading and the item will move to the second reading. That concludes our agenda for today. So, we are adjourned.

**At 4:07 pm, 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.

**May 19, 2022 2:00 p.m.**

**Wheeler:** Call the roll.

**Clerk:** Ryan.

**Ryan:** Here.

**Clerk:** Hardesty. Mapps.

**Mapps:** Here.

**Clerk:** Rubio.

**Rubio:** Here.

**Clerk:** Wheeler.

**Wheeler:** Here. We'll now hear from the city attorney.

**Lauren King:** Good afternoon. Welcome to the Portland City Council. City council is holding hybrid meetings with limited in-person attendance in addition to electronic attendance. If you wish to testify before city council in-person or virtually, you must sign up in advance by visiting the council agenda on the council clerk's webpage at [www.Portland.gov/council/agenda](http://www.Portland.gov/council/agenda). You may sign up for communications to briefly speak about any subject. You may also sign up for public testimony and resolutions, reports, or first readings of ordinances. In-person testimony may occur from one of several locations, including city council chambers in the love joy room at city hall and the Portland building. Written testimony may be submitted at [cctestimony@Portlandoregon.gov](mailto:cctestimony@Portlandoregon.gov). Your testimony should address the matter being

considered at that 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 it. Presiding officer preserves order and decorum during city council meetings so everyone can feel welcome, comfortable, respected and safe. The presiding officer determines the length of testimony. Individuals generally have three minutes to testify unless otherwise stated. The timer will indicate when your time is done. Disruptive conduct such as shouting, refusing to conclude your testimony when your time is up, interrupting others' testimony or council deliberations will not be allowed. If there are disruptions, a warning will be given that further disruption may result in the person being ejected for the remainder of the meeting. After being ejected, a person who fails to leave a meeting is subject to arrest for trespass. Additionally, council may take a short recess and reconvene virtually. Thank you.

**Wheeler:** Very good. We have one item for this afternoon, please. Item 425.

**Clerk:** Amend the comprehensive plan zoning map and title 33 planning and zoning to comply with the house bill 2001.

**Wheeler:** This is a continuation of the hearing that we held on April 27th public testimony about this proposal can be found by visiting the map app. Links to the written recorded are located on the website. The written and the oral record will be closed at the conclusion of today's hearing. Before we begin presentations I want to announce that I own property in a single dwelling zone. Properties in the single dwelling zone will be impacted by this project. I have no plans or intent to redevelop the use of my report. I'm just disclosing this.

**Mapps:** I want to announce that I own property in and r2.5 zone. Properties could be impacted by in two, and I have no plans or intent to redevelop or change the use of my property however at of and abundance of caution I'm exposing this potential conflict of interest.

**Wheeler:** Thank you Commissioner Mapps. Commissioner Ryan.

**Ryan:** Hello. Back on the right speaker. I want to say exactly what the mayor and Commissioner Mapps said. I want to announce that I own property in a single dwelling zone property in single dwelling zones could be impacted by rip two. I have no plans or intention to change or redevelop the use of my property. I am disclosing this as a potential conflict of interest. Thank you Commissioner Ryan.

**Wheeler:** Commissioner Rubio.

**Rubio:** I too own property in an impact zone. I also have no plans, however out and abundance of caution I'm gone to disclose this.

**Wheeler:** Thank you I'm going to turn it over to Sandra to see how we will spend today's meeting. Just to give you colleagues a heads up as amendments are proposed we will propose and second amendments. We will not be voting on them today until following public testimony. Sandra, go ahead.

**Sandra Wood:** Good afternoon Commissioners. Thank you for having us here again. I'm Sandra Wood I'm about the bureau of planning and sustainability and Morgan Traci is the project manager and he's here to answer the tough questions that you may have. And I'm going to do the presentation if I can figure out how to share my screen. That work sharing my screen. Is that working.

**Wheeler:** Yeah, that looks good.

**Wood:** That looks good. Are you seeing my notes by any chance?

**Wheeler:** No, we just see the main slide. It looks good.

**Wood:** Excellent. So let me describe what we are doing today. You will be considering four potential amendment that's being introduced by Commissioners Rubio and Ryan. The potential amendments were posted on the website on Friday. So you have received nine pieces of written testimony so far and we have 18 people signed up to testify today and I'm sure we'll be able to get through all of them which is great. I'll provide a summary of each of the four potential amendments and then the mayor will ask for a motion to move those amendments and then you'll have public record and close the

testimony. As a reminder each amendment must receive four affirmative vote to pass. After the meeting the votes will go ahead had and we'll come back and readvise the ordinance and the documents and come back on June 1st for the full amended package and that's an emergency ordinance to go into effect on July 1st which is our deadline for compliance with the state bill and senate bill that we've been talking about. So with that I'll just go ahead and move us forward to the amendments. This first amendment is actually a pack and of ten technical amendments to clarify and correct errors in the code. Some of them are just a step up from a typo really. The references et cetera. Rather than read each one of them individually we propose that they be moved as a batch unless any Commissioner wants to pull out a specific item to discuss. Again, these are technical amendments. Mayor Wheeler would you like to call the motion you're on mute.

**Wheeler:** That gave me a chance to practice. So I move amendment number one which is a package of technical amendments a through j. Is this a second.

**Rubio:** Second.

**Wheeler:** Commissioner Rubio seconds. Thank you.

**Wood:** Thank you.

**Wheeler:** Amendments are off the table.

**Wood:** The second ahead amendment is to increase the total amount of floor area where there are four or more dwelling units proposed.

**Wheeler:** I will move that.

**Ryan:** I second that.

**Wheeler:** Commissioner Ryan seconds.

**Wood:** Removes landlocked properties from being ineligible. Another way of saying this this amendment will continue to allow land locks propertied to continue to develop.

**Wheeler:** So moved.

**Ryan:** I'll second.

**Wood:** Amendment 4 - creates additional building standards to increase affordable housing. The amendment will also reduce the outdoor area requirement to 48 square feet per unit.

**Wheeler:** I will move amendment four.

**Rubio:** Second.

**Wheeler:** Second from Commissioner Rubio. Sandra before you move on could we have the sponsors of these amendments give a brief description. Maybe you can do highlights on amendment number one. For 2, 3, and four can we here or 23 sentences from the sponsors.

**Wood:** Morgan what would you highlight. I don't think there is anything to highlight.

**Morgan Tracy:** Nothing really exciting in this list except perhaps to highlight the fact that we're clarifying housing like for area unit town house development attached house development. Those would be like item which one is that. Oh, item C. And then there is one change to the over lay the constraint size over lay map which is a result of a property being rezoned from open space to r20 which skipped out on getting at complication. So that sort of catches that map up to that zone change. Other than that if there are particular questions about any of these amendments we'll be happy to answer those but there is nothing exciting in this list.

**Wheeler:** Yeah. Good I don't see any questions at this point can we move on to amendment number two and I know Commissioner Ryan brought this forward Commissioner Ryan can you just tell us a little about your amendment.

**Ryan:** Yeah it's to increase the floor area ratio. Currently the floor to area ratio limits for triplexes and four-plexes and single dwelling units is the same. So in order to provide a competitive advantage this is adding additional floor space ratio. So bottom line it's about family housing. And then the next one does you want me to go ahead.

**Wheeler:** Yeah go ahead.

**Ryan:** This is about removing the front lot requirement it will allow development to continue on land locked lots that use an easement to connect to the street. This is consistent with the goals of the project to provide more housing opportunity and will also allow bds currently to apply the lot dimension standards in their reviews. Without this amendment we would have the unintended consequence -- at a time when we need to increase our housing stock.

**Wheeler:** Thanks Commissioner Ryan and amendment four Commissioner Rubio that is yours.

**Rubio:** Thank you. So our staff and housing providers worked collaboratively on this proposal. The increase building coverage allowance is a reasonable trade to provide a shorter town house style unit. The resulting form simply remodels the three-story bulk into a lower broader three story building and this offers each unit a front door and a porch for each unit to call their own and it improves the feasibility of getting more affordable units built during this time of our housing crisis. The proposal also retains elements of the single dwelling zone character like setbacks while still being able to respond to the context of the area.

**Wheeler:** Thank you Commissioner Rubio and Sandra did you have more of your presentation.

**Wood:** Not really mayor. I just did want to reiterate that the final vote would be June 1st for and effect I have date of July 1st. But that's it.

**Wheeler:** Very good. Any questions for Sandra before we move into public testimony? And we'll keep these amendments open. So people who are testifying have a chance to comment on these amendments. And Commissioner Rubio I'm in somewhat of an unstable environment and if I lose connection please take up the gavel. You will do my best to stay engaged. With that we will move on to public testimony. The council clerk set a time -- well the council clerk will call on people and set a timer which people will

be able to see. Please stay within your allotted three minutes. At the end of the three minutes the clerk will alert you. Megan are you the clerk today.

**Clerk:** Yes, I am.

**Wheeler:** Sorry about that it's Megan who is our amazing clerk today. Megan why don't you start us off today.

**Clerk:** Three minutes. The first three individuals are Jennifer Shuch. And then.

**Jennifer Shuch:** We support rip two can all of the proposed amendments. Particularly amendments 2,3 and 4. It will provide more four flexes in residential areas. Four flexes are more desirable because they will add more housing to these neighborhoods but also because the grand floor units will meet the -- it will allow for more family sized units. This change will benefit disabled Portlanders as well as their families. It will allow them to build a small owner-occupied home. This will allow to take advantage of the wealth building of ADUs and well as new zoning options like detached duplexes under rip two. Amendment four will legalize culturally responsive. Affordable home builders like habitat for humanity and PRI have advocated for this change. This change is especially important for communities of color who have been displaced from north and northeast Portland. It's not a secret that Portland needs more housing especially in high opportunity residential neighborhoods but nor specifically Portland needs accessible. First time home buyers and those whose incomes have not kept pace with housing cost increases. Denser infill housing will also help reduce small and auto dependence. Protecting the regions wild and rural places. We urge the council to pass rip two along with all proposed amendments today. Thank you for your time and effort on important issue.

**Clerk:** Next is Doug Klotz.

**Doug Klotz:** Hi, my name is Doug Klotz. Amend you comment number four will create homes that are culturally appropriate as Jennifer mentioned for the communities of color who were displaced from north Portland. A ground level front porch is a key

component, and this amendment was worked out with the help of the affordable housing providers that were also just mentioned. It would trade a three-story building with six stacked units which was previously also allowed and still is. But trade that in if you wanted to for a lower but longer building of six units which are only two stories and each would have a front door on the ground and a stoop facing the walkway and half of these units will be affordable at AMI. Now I hear there is some concern that these building would have 60 petter lot buildings and 40 percent for the other version let but that's not inconsistent with other types of housing around in these areas. The front set back remains at 10 feet. Some people have been miss circulating a diagram that shows 5-foot set back which is the same as lots have been around the city for years and yes you can put a tree in a 10-foot front yard and the diagram that staff just showed up there seems a little off to me as well. The heights are misrepresented. It seems a little out of scale and perhaps a little bias towards one type over another. Just saying. So, but in the big picture trees are actually saved by putting six units on one residential unit rather than spreading the units out over one lot. You -- or put all of that same number of residents on one lot. And, you know, and have a lot less impact on tree cover. And going to the larger picture of that still reducing carbon emissions has not become critical. This lowers residents housing traffic demand transit and biking, and walking are feasible, and this will reduce carbon emissions. Along with this the city should also put a greater priority -- to allow large form trees in the right of way including extending curbs in the parking lane which they have been talking about. Saving existing trees and planting new ones this is where we need to be concentrating these threes. Also please support all of these amendments also so we can bring more housing on small lots and reduce carbon emissions. Thank you.

**Clerk:** Mary Vogel.

**Mary Vogel:** Mayor Wheeler, Commissioners. I support the amendments that council will be considering but with a caveat. I usually testify for a small developer alliance which

started as a small Facebook group administered by me and developer Garland Woodstock. Most missing middle housing that gets built will be provided by for-profit developer red like them as there is not enough subsidy out there for non-profits to build all that's needed under the present systems foundations et al. Would forever be playing a game of catch up to try. And article -- Land Life publication fixing complicated problems by President George McCarthy. He makes one of my major points well. McCarthy cites data and anecdotes. Regarding site line its founder and executive director Allen Durning has argued in his second article final excellent series. You can now have affordable stable homes for all and also a universal wealth building opportunity through home ownership. A pathway to the middle class. You just can't. I've long maintained the same thing. In the other testimony on RIP2, I've argued the need for workforce co-op housing and explained unlike traditional home ownership in a housing co-op, each member signs the proprietary lease with co-op and pays monthly rent to the co-op and pays specific right to this dwelling unit in other words it operates like rental housing it just happened to be collectively owned by the people who live in the housing. Again, I support the amendments offered by council with the caveat that you need to get money in the rip budget for low income and workforce co-op housing in order to preserve the housing that is built under rip. Maybe that calls for a separate rip budget meeting after you pass these amendments. Thank you.

**Clerk:** the next three individuals are Bradley Bondy, Jonathan Greenwood and Luke Norman.

**Bradley Bondy:** Hi...

**Wheeler:** Yeah, we see you.

**Bondy:** Excellent. Hi Mayor Wheeler and members of the council. I'm Bradley Bondy. I support all of the amendments especially two and four which enable and encourage the ability to put up more workforce housing here in Portland. We're in the middle of a severe housing shortage. Especially homes affordable to low-income needs. I'm very

thankful for the city staff and the planning and sustainability commission put a lot of time and effort into that package to get it in front of you all before the state deadline. I now ask that council vote yes and amendments and thank you for your time.

**Clerk:** Jonathan greenwood.

**Jonathan Greenwood:** Hello council. I am Jonathan greenwood and I support Portland neighbors welcome and their support of amendments 24 and three. Amendment four will legalize town homes this will allow for town homes with their own front doors porches and yards by increasing lot coverage. This is for communities of color who have been displaced from Portland's north and northeast. Amendment two will increase four plex far to increase more accessible and family sized housing. So meet federal accessible standards increasing far also makes it easier to build family sized homes with two to three bedrooms. Finally amendment three will remove a barrier to back lot loams. This will make it easier to put a back log home for some homes. I deeply value the responsiveness of council and staff to these deeply needed commandments. Your quick work continues to show your dedication to our community during this difficult housing shortage in Portland. Rip two will go a long way to alleviating this shortage. I look forward to a -- to preventer the damages of sprawl on our communities and ecosystems. I have faith council and staff will be right here with our communities fighting for continued change in this direction in the future. Thank you.

**Clerk:** Luke Norman.

**Luke Norman:** Mayor and Commissioners may name is Luke Norman. I'm here today as a long-time renter and future hopefully neighborhood homeowner. Last month the community shared strong support for rip two and the need for more affordable more accessible and for family sized homes. As you're aware, community is speaking out since we're facing a home ownership crisis especially for our communities of color. With zero neighborhoods affordable to the average black and native household. So I appreciate the efforts of council and bds staff to develop this amendment to take tangible step to

address this crisis. With amendment number four legalizing affordable town homes that community organizations like happen habitat and prowl ground want to build for new home owns and amendment number two encouraging more accessible and family sized homes so our neighborhoods welcome households of all ages and sizes. Passing these amendments today will ensure that council builds opt innovative foundation of the project so ensure that we're creating new home that's fordable and accessible to Portlanders of all race's incomes and abilities. Thank you.

**Clerk:** The next three individuals are Eric Lindsay, Madalyn Kovacs, and Diane Linn.

**Eric Lindsay:** Thank you so much city council and staff and the sustainability commission for the hard work on this awesome project. Today I'm asking you to please pass rip 2.0 as proposed with all of the amendments that Portland neighbors welcome has suggested. And that are being supported by some of the council members here today. Once things that I want to talk about in particular is the far bonus for four-plexes. I seek to be a useful us maying middle developer and currently I'm work on a project in overlook really close to adidas. And one of the things that we're doing is we're doing a phased develop hoping to take advantage of rip 2.0. And the far don't us is the difference for us of being able to bring 21-bedroom apartments in addition to the two units that we're work versus bringing in two more three-bedroom units. And I think that my experiences those are the unit that's the hardest to get build and they're also unit that's in the most demand. Especially at lower rental rates which certainly four-plexes allow over single family homes. So really encourage you to think about all the little benefits even those little numbers that little 0.1 to make a difference for someone like myself to bring in a three-bed road to house a -- any way really appreciates all your work and please pass all this good stuff and I'll leave it at that. Thanks a lot.

**Clerk:** Madalyn Kovacs.

**Madalyn Kovacs:** Thank you good afternoon Mr. Mayor and councilmembers. My name is Madalyn. I'm testifying on whatever the build small coalition. We urge council to vote

yes and adopt both amendment two and amendment four in particular. If of our many regions these two introduces by Commissioners Rubio and Ryan are by far the most important for affordability and feasibility and so thank you both to you and to your staff for your time and your efforts on this. We have still in the midst of the worse housing shortage in Portland's recent history as we're all acutely aware. The -- is unthinkable. I also want to echo the testimony of Doug Klotz who addressed the impact on trees that I didn't know were coming. Portland should also support a health tree canopy and -- by pivoting of our rights of way. I thought that was a really good point. In terms of climate one of the best things that we can do to kit carbon emission it's to increase density. And very many allowing for them to live car free. So if we want to increase housing supply and lower prices and if we want more affordable housing and if we want long-term community stability through permanent deep affordable or if we want to solve the climate crisis then it's a resounding yes, sir on amendments two and four. Thank you for your time.

**Clerk:** Diane Linn.

**Diane Linn:** Good afternoon mayor and councilmember. How wonderful to see you all? I'm dialing in from a new town home. So I'm living my talk. I think what's been said already is very important the way we live in community and that progress many of our neighborhoods have made to open up density and to do appropriate infill of the amenities in this neighborhood are almost unmatched because of a lot of the work that was done by the community way back in the day. I am here to thank Commissioner Ryan and Commissioner Rubio for the amendment that's going to be so very important to our ability to get more homes built. I want you all to know that we're working very hard to build relationships between private builder, developers and non-profits to collaborate as early as possible on possible projects so that we can show case what we can actually put on the ground out here in the community. Please know that costs have gone up as you all know. Supply chain interest rates are going to hit the affordable

impact to families. At the same time there are no resources and new opportunities. I just want to point out to the team how important land acquisition funds will be and you'll all have a hand I hope in supporting bringing land to the table. What we want to do is perfect that we can make this work. That working together we can bring more of these units four or 5 or 6 plexes with deeper affordable embedded. So we want to thank you so much for that. We have to continue communicating and work together and lean into these issues. Policy is a step in the right direction. There are a few more fix that's going to be necessary down the road, but we think these amendments attached to rip two and two-point sew are really important. Committed to helping us. Help you help us to create for community's color primarily in the home ownership world. So keep up the great work. Thank you so much.

**Clerk:** The next three individuals are Michael Andersen. John Gibbon and Kyna Rubin.

**Michael Andersen:** I join the other speakers today in support of all the proposed amendment dollars and in appreciate of the bds staff. Sandra Morgan jp and the city hall folks who worked hard to get as much mileage as possible on this update. I think this process has been a model of civic teamwork. [indiscernible] was the first draft of a new era for Portland's low density zoning code. Not only does it comply with the letter and spirit of state law. These amendments before you today will help achieve all of the goals of the project. Giving Portlanders more and affordable housing options. Please approve this project with amendments and let's all start on the next thing. Thank you.

**Clerk:** Next is John Gibbon.

**John Gibbon:** Thank you Mr. Mayor and members of the council. I have three or four points. First of all I want to thank staff particularly Morgan Tracy for the good work he's done on this thing. I think the best work he's done on this is to have prepared a map not sure about his use of dotted red lines for that purpose but prepared a map that shows all the unmaintained streets in the city. That is critical to the live ability in maybe of the neighborhoods like mark am where I'm located in southwest Portland, and I hope

that information that's been again rated for the rip map app will be put together in a usable form that gets to all responsible city bureaus. It's as I said critical to live ability, and I think as we work through rip two, critical to allowing homeowners and other people to make rational affordable housing decisions they need to know what the constraints are on home that's being built on unmaintained city streets which are gathered into this project but limited to duplexes. Otherwise I'd say as I spent 40 years as an advocate-- I'm a retired attorney common interest ownership representing owners for the last 15 or 20 years of that project. I really think that rip two and the amendments that are in front of you are great because they turn the discrimination that existed between against common-law houses in the entire land system in the 50 years that I've been involved with it. There's always been a single-family resident bias, and this finally turns the corner on that and says we need to have and urban areas we need to have common wall housing. I will say I'm concerned but not unhopeful that -- about the 60% lot coverage in southwest Portland. A 60% lot coverage is going to create storm water problem that's the city going to have to be very careful to watch through, but I will also say Mr. Mayor and Commissioner Ryan and Commissioner Hardesty is not here. I'm convinced the city of Portland based on what you did in my own neighborhood putting together the quail post road lid you have the ability to come in and deal with the problem that's are created [inaudible] so let's go forward with this. It's needed. Thank you.

**Clerk:** Kyna Rubin

**Kyna Rubin:** I'm Kyna with state mandates on a10 and r20 lots. However very recently advocates proposed amendments to rip two that will have far greater impacts on trees because they apply not only to those disowns but to the r5 or single dwelling disowns. This will increase the allowable size of four-plexes. This means more driveways which will -- existing street trees and room to plant new ones. To be built with 60% lot coverage and this will be allowed on any lot. Given the predominance of r5 lots in the

city this will have a significant impact on space for trees. This goes beyond the scope of rip two. It was not as it was presented to the public design to revisit rip one let alone expanded scope. The proposed amendments have not undergone analysis of potential impacts. Analysis should be completed and shared with the public prior to city council taking action on these amendments. So meet this crisis. Portlanders died from last summer's heat dome. Allowing increased impervious area. It is in the details the small print of code where the city's stated priorities on climate and equity get eroded a little at a time and then in big chunks. The accumulative effect is canopy loss which has already been documented. Together with increased pavement and expanding heat islands effects all of which fuel climate and equity problems. These new amendments are not part of the state requirements. We urge you in the strongest terms to reject them outright or at least to defer action on them at least until the city conducts an impact analysis on the future tree canopy. We are pro affordable housing but believe it need not be mutually exclusive regarding the benefits that trees bring to all residents especially low-income resident and people of color who don't enjoy the health benefits of canopy that wealthier people do. Thank you.

**Clerk:** The next three individuals are Preston Korst, Henry Honorof and Emily Guise.

**Preston Korst:** I want to thank the council and staff who have decided this project. There has been no shortage of email and calls and check ins and follow-ups as this project started we started engaging in this work I think back in august or so, December around then. As well as bps staff. Morgan and Sandra have been great and have engaged non-profits like habitat. I'm just calling in to say thank you so much and, you know, hoping that you guys each support the amendments especially the ones presented today on rip two and amendment number four is the one that I wanted to zero in on today. We any that this is especially impactful for non-profit and for-profit builders to build unit that's affordable. In my mind they do three things first of which is making construction more affordable negotiating the needs to build in these taller

stacked flats and the commercial zoning. So the shorter option will be really helpful to us. In addition the less impact it has on the neighborhood with the neighbors next to a building and lastly the -- this whole project rip two as well as the fourth amendment today will allow and encourage the non-profit builder to generate more housing and that's what we need in Portland. More supply and more diverse form of housing. So general speaking habitat has built in the past just 25 units communities and that takes about an acre or two depending on the style of the building and land. This will already we're looking at land that's small nature and more diverse in terms of the size and the scope and the shape of the land. So we're already looking at ways to develop this type of product and as Diane mentioned before. This is definitely something that we want to encourage partnerships between non-profit and private developers so that both of us can interact and engage in building more affordable and more diverse types of housing. Thank you.

**Clerk:** Henry Honorof.

**Henry Honorof:** Henry Honorof -- speaking on the -- for myself. This is my daughter. Our childcare today I am our childcare today. Hopefully you only here from me today. But I make no promptness. I support -- particularly amendments two and four. Both of which will need to more affordable abundant housing option in ports land. We have heard from others in detail about why these others are important for working people. So mostly I just want to say thank you and kudos to council and staff for how you handled this amendment process. The city government has gotten a lot of guff lately and I imagine you grow weary of the criticism throne at you. But I have to say this process was -- you heard from young parents like me that the current rule that's standing in the way of family sized middle housing but that a small tweak can allow us to raise kids like this on middle class budgets and you took action with amends. You heard from affordable housing providers like habitat and proud ground that culturally responsive five and six-plexes that -- a path to owning a home that fits their needs and values and

you took action and I'm going to go off script for a second. I'm going to say it drives me a little nuts that after PCRI took the time to engage with important land's communities of color and they shared and after habitat figured out how to build those town homes and after city council and city staff spent a lot of time how to make it work in code and then you're being told that maybe protecting a few yard trees matters more than getting homes -- I just can't. I mostly want to say thank you. Of course these amendments need to be adopted and rip two still needs to be passed as amended but as of today I'm feeling truly grateful for the open minds and the actions that staff has done to implement council direction. Thank you for all your work and please adopt all of the proposed amendments.

**Clerk:** Emily Guise. Emily. You're muted. Let's go to Scott Wyse.

**Scott Wyse:** Thank you mayor and fellow councilmembers. My name is Scott Wyse. I'm here to testify mainly in support of amendment number three. I agree with Mr. Honorof that the process worked extraordinarily well. I have to complement you on the process because we learned of a particular issue in the proposed that amendment three fixes and that was a lot that my family owns would become unbuildable because it only has access to the street through an easement and I would say that when we brought that to your attention at the last hearing and then when we discussed it with the staff member and then brought it to the attention of the Commissioners I would like to thank particularly Commissioner Ryan and Rubio who have facilitated this amendment number three and also Mona Schwartz. I would like to thank all of them for this amendment that will continue to make our lot a buildable lot. So I urge you to pass amendment three. Thank you very much.

**Clerk:** Let's try Emily Guise. Emily, are you able to unmute. All right. Next let's hear Nicholas Buri

**Nicholas Buri:** Thank you council. My name is Nick Buri. I work with the community alliance and tenants, and I work with a bunch of housing and climate organizations. But

I'm here speaking only on my behalf today. I just wanted to boast my support for strengthening the project with the proposed amendments especially 23 and four. These make the -- for the housing crunch that requires bold solutions. We need to do everything in our power to make sure that growth within the UGB is dense affordable and accessible for all of Portland's vibrant communities. These are a great step to making rip -- in fact just yesterday a very popular urbanism youtube channel posted a video praising RIP. So you got fans out there. The council's work to this point has been much preached and I want to urge you to pass these today and not delay the vote. Thank you.

**Clerk:** Thomas Karwaki

**Thomas Karwaki:** Hi Tom Karwaki. Our biggest concern was the impact on the canopy. I think historically I think people have to understand that the city was plotted in New York and Philadelphia, and it will look like New York and Philadelphia with this particular set of implication and will not have the tree canopy that we're looking at. Our university park and that even with the current RIP you're having a significant loss of canopy. We actually support these amendments, and we think the process is wrong. I think this is -- was originally call intended for much larger lot and now you've gone and changed a lot of other area and I think people would have really appreciated more time and consideration. We would be for bifurcation of the process. So that the amendments which are all very good in general would have been at least more clearly engaged with the community instead of the very specific group of developers and so forth that are involved. The 30 -- 25-foot limitation could actually be increased. I think if you're going to uncover 60 percent you're going to get the full benefit of that, and I think there might be some concerns that will be allowed, and I think instead of saying adjustment are prohibited I think you could say that adjustments would be allowed in some cases. You support the idea of making things more affordable, but I think if we're going to go this way let's just go the whole way and I don't think the 25-foot is sufficiently -- I think

you can get more bang for your buck staying at a higher level but that's a small change. Okay. Thank you.

**Clerk:** Next Athul Acharya

**Athul Acharya:** Amendment four will make it possible to build middle housing that's responsive to communities of color and other groups at risk of displacement.

Amendment two will make it possible for -- families. That last bit is so important. San Francisco. The poster child for stick your head in the sapped and refusing to build housing now has one of the lowest percentages of school age children and teens of any city in the country. Let's not do that here. Keeping Portland affordable. RIP2 is about billing more housing. RIP2 is about building middle housing. Please adopt all of proposed amendment and adopt them today. Thank you for making Portland more affordable to live in.

**Clerk:** Let's try Emily Guise again. Emily, are you able to unmute? And that completes testimony.

**Wheeler:** All right. Very good. I will ask my colleagues before we vote on each of these amendments individually if they have any comments or questions? And if so if you can just raise your hand. I'm not seeing anything. So first of all thank you everybody who testified. We appreciate it. It was good feedback. Amendment number one these are the technical amendments to correct or clarify certain aspects of the recommended draft. Unless there is any of it my colleagues would like to discuss individually I propose that we vote on all of these as a batch.

**King:** Mayor before we move to vote that we just make it clear that the oral record and written record is close.

**Wheeler:** Yeah. Good point. We have heard from everyone. And the oral record is close, and the written record is now closed. Thank you for reminding me of that. Colleagues my comments on amendment one.

**Clerk:** Ryan.

**Ryan:** Before we move on didn't the mayor say we're voting on all of them as once.  
[cross-talk with legal counsel] I just heard it differently. Aye.

**Wheeler:** Good thanks.

**Clerk:** [roll call vote. All vote aye]

**Wheeler:** Is there any further discussion on amendment two. Any further discussion?  
Seeing none, Megan please call the roll.

**Clerk:** [roll call vote]

**Wheeler:** I want to thank Commissioner Ryan for bringing this forward I know there is some time sensitivity to the build so there are limits on how many additional changes it could address but I want to be clear that we can and must do more to support the creation of more housing options in our city. And we heard some public testimony around increasing flexibility around ADUs and I would love to see a proposal come to the council and as we monitor the impact of rip over the coming year I look forward to learning about additional potential change that could help address our housing shortage but I'm very happy with this amendment I vote aye. The amendment is adopted. Amendment number three. Is there any discussion on amendment number three? Seeing none Megan please call the roll.

**Clerk:** Ryan.

**Ryan:** Yeah. Thank you colleagues I am just going to make a couple of comments on all of these changes. Especially more family housing and I'm really looking forward to partnering with our local organizations both non-profit and profit supporting their work to build new affordable housing projects in these sickle dwelling disowns I aye.

**Clerk:** [roll call vote. All vote aye]

**Wheeler:** Amendment four. Are there any further comments on this? Seeing none please call the roll.

**Clerk:** Mapps

**Mapps:** I just want to thank my colleagues Ryan and Rubio for the hard work they've done to make these better. I just want to congratulate the community members for the great work that they've done, and I want to thank everyone who has testified on behalf of rip two over the past several weeks and month. For these reasons and more I'm glad to vote aye.

**Clerk:** Rubio.

**Rubio:** I want to express any continues appreciation for the quality and thoroughness of work that bps bring to council and appreciate the collaboration with community housing stakeholders and producing the work that we have before us. These amendments along with the changes brought forward and planning and sustainable recommendations ensured that Portland continue to lead on the path to bill more middle housing and I'm excited to see the work when it's all done I'm happy to vote aye.

**Wheeler:** I want to thank Commissioner Rubio for bringing this forward and staff for listening to -- to develop a proposal to build more flexibility town houses. This makes a lot of sense and thank you Commissioner Rubio for bringing this forward. I vote aye. And amendment four is adopted. We have now voted on all four of the amendments. We now return to staff to vote on the -- to reflect today's amendments. The written record is posted on the rip two project remember site and public testimony on the project can be reviewed on the map app. The written and oral record are now closed. This is being heard as an emergency ordinance with and effective date of June 30th in order to meet the states dead lip. This item is continued to June 1st, 2022, and 9: 15 a.m. Is there anything else that we need to do legal counsel?

**King:** Keelan is just saying that it's continued to 9:45. So June 1st 9: 45 for council to vote to reflect today's amendments.

**Wheeler:** Thank you I appreciate that this item is continued to June 1<sup>st</sup>, 2022 9: 45 a.m. Thank you to staff and Megan and Keelan our amazing clerks. Thank you to everyone

who testified today and my colleagues. That concludes today's hearing, and we are adjourned. Thank you.

**At 3:03 pm, council adjourned.**