



## June 15-16, 2022 Council Agenda

5665

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

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Disposition Agenda

Audio Recordings

### Wednesday, June 15, 2022 9:30 am

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**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

Item 528 was pulled from the Consent Agenda and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

Council recessed at 11:35 a.m. and reconvened at 11:46 a.m.

Council recessed at 12:23 p.m.

### Communications

511

[Request of Heather Phipps to address Council regarding illegal angle parking on public right of way and sidewalks on SW Falcon St between SW 35th and SW 33rd](#) (Communication)

**Document number:** 511-2022

**Disposition:** Placed on File

512

[Request of Shedrick Wilkins to address Council regarding Magnetic Fusion](#) (Communication)

**Document number:** 512-2022

**Disposition:** Placed on File

513

[Request of Fatima Magomadova to address Council regarding Division Street Project safety issues](#)  
(Communication)

**Document number:** 513-2022

**Disposition:** Placed on File

514

[Request of Margaret Jennings to address Council regarding concern about making the Healthy Business Permits program permanent](#) (Communication)

**Document number:** 514-2022

**Disposition:** Placed on File

## Time Certain

515

[Appoint Adam Lewis and Crystal O'Grady and reappoint Erin Zollenkopf and Adrienne Feldstein to the Portland Parks & Recreation Board](#) (Report)

**Document number:** 515-2022

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

**Bureau:** Parks & Recreation

**Time certain:** 9:45 am

**Time requested:** 15 minutes

**Disposition:** Confirmed

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

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

516

[Proclaim June 19, 2022 to be Juneteenth](#) (Proclamation)

**Document number:** 516-2022

**Introduced by:** Mayor Ted Wheeler; Commissioner Mingus Mapps

**Time certain:** 10:00 am

**Time requested:** 30 minutes

**Disposition:** Placed on File

517

[Consider the appeal by Walter Weyler on behalf of the Downtown Neighborhood Association against the Design Commission's decision to approve the proposed RiverPlace Central City Master Plan for an 8-acre site in the University/ South Downtown Subdistrict of the Central City Plan District \(LU 21-053731 CCMS\)](#) (Report)

**Document number:** 517-2022

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Development Services (BDS)

**Time certain:** 11:00 am

**Time requested:** 15 minutes

Previous agenda item 459.

**Disposition:** Findings Adopted

Motion to deny the appeal and uphold the decision of the Design Commission with one revised condition, one additional condition, and additional finding, and adopt the Findings and Conclusions in the attached council approved criteria matrix as amended: 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

## Consent Agenda

518

[Reappoint Traci Rossi to the Children's Levy Allocation Committee for term to expire June 30, 2024](#) (Report)

**Document number:** 518-2022

**Introduced by:** Mayor Ted Wheeler; Commissioner Dan Ryan

**Bureau:** Children's Levy

**Disposition:** Confirmed

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

519

[Authorize Intergovernmental Agreement with Oregon Health Sciences University for Hospital Expansion Project data collection and reporting of apprenticeship and diversity results](#) (Ordinance)

**Document number:** 190870

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Management and Finance

Second reading agenda item 497.

**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

520

[Create a new represented classification of Maintenance Mechanic, Trainee and establish interim compensation rates for this classification](#) (Ordinance)

**Document number:** 190871

**Introduced by:** Mayor Ted Wheeler

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

Second reading agenda item 498.

**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

521

[\\*Amend Intergovernmental Agreement with the Willamette Shoreline Consortium of Local Governments for the maintenance and funding of the Willamette Shoreline Right-of-Way \(amend Contract No. 30000497\)](#) (Emergency Ordinance)

**Document number:** 190872

**Introduced by:** 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

522

[\\*Amend Intergovernmental Agreement with the Willamette Shoreline Consortium of Local Governments for the management of the Willamette Shoreline Right-of-Way \(amend Contract No. 50535\)](#) (Emergency Ordinance)

**Document number:** 190873

**Introduced by:** 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

523

[\\*Authorize contract with the lowest responsible bidder for the NE Cornfoot Rd and NE 47th Ave to NE Alderwood Rd project not to exceed \\$3,450,000](#) (Emergency Ordinance)

**Document number:** 190874

**Introduced by:** 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

524

[\\*Authorize payment to Vintage Trolley, Inc. for replacement of trolley car No. 513 diesel propulsion system for \\$20,000 \(Emergency Ordinance\)](#)

**Document number:** 190875

**Introduced by:** 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

525

[\\*Authorize the Chief Procurement Officer to amend contract with Vega Civil Engineering, LLC in the amount of \\$49,150 to complete design for the N Suttle Rd Local Improvement District \(amend Contract No. 30007647; C-10058\) \(Emergency Ordinance\)](#)

**Document number:** 190876

**Introduced by:** 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

526

[\\*Authorize Bureau of Environmental Services to reimburse property owner at 2033 NE Holman Street for sewer user fees in the amount of \\$4,838 \(Emergency Ordinance\)](#)

**Document number:** 190877

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Environmental Services

**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

527

[\\*Authorize grant agreement with Cascadia Policy Solutions PLLC for a total amount not to exceed \\$75,000 as part of the City's participation in the Pacific Coast Food Waste Commitment, a multi-state food waste reduction project](#) (Emergency Ordinance)

**Document number:** 190878

**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

528

[Certify abstract of votes cast and candidates elected and nominated at the Municipal Nonpartisan Primary Election held in the City of Portland on May 17, 2022](#) (Report)

**Document number:** 528-2022

**Introduced by:** Former Auditor Mary Hull Caballero

**Bureau:** Auditor's Office; City of Portland Elections Office

Item 528 was pulled from the Consent Agenda to consider a proposed amendment to the report.

**Disposition:** Accepted As Amended

Motion to amend report: Moved by Wheeler and seconded by Hardesty. (Y-5)

Motion to accept the report as amended: Moved by Wheeler 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

## Regular Agenda

529

[Appoint Nancy Hendrickson as the City representative to the Urban Flood Safety and Water Quality District for term to expire June 15, 2025](#) (Report)

**Document number:** 529-2022

**Introduced by:** Mayor Ted Wheeler

**Time requested:** 10 minutes

**Disposition:** Confirmed

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

**Votes:** Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

530

[Appoint Anthony Russell, Jr. and Nathan Castle and reappoint Ann Campbell to the Portland Committee on Community-Engaged Policing for terms to expire August 31, 2022](#) (Report)

**Document number:** 530-2022

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Community Safety Division; Management and Finance

**Time requested:** 15 minutes

**Disposition:** Confirmed

Motion to accept the report: Moved by Wheeler 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

531

[Accept bid of Interlaken, Inc. for the 4M Bikeway Project for \\$1,335,110 \(Procurement Report - ITB No. 00001795\)](#)  
(Report)

**Document number:** 531-2022

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Management and Finance

**Time requested:** 10 minutes

**Disposition:** Accepted - Prepare Contract

Motion to accept the report: Moved by Wheeler 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

532

[Accept bid of Landis & Landis Construction, LLC for the Sunnyside South & Ladd's Addition Reconstruction & Green Streets Project for \\$9,017,921 \(Procurement Report - ITB No. 00001834\)](#) (Report)

**Document number:** 532-2022

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Management and Finance

**Time requested:** 15 minutes

**Disposition:** Accepted - Prepare Contract

Motion to accept the report: Moved by Wheeler 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

533

[Amend Intergovernmental Agreement with Multnomah County to fund a portion of the salary expense for the County Domestic Violence Coordinator \(amend Agreement No. 30004753\)](#) (Ordinance)

**Document number:** 190891

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Police

**Time requested:** 20 minutes

**Disposition:** Passed to second reading

Passed to second reading June 22, 2022 at 9:30 a.m.

534

[\\*Authorize contract with KPFF, Inc. for engineering and design for critical safety and maintenance improvements and planning for future improvements to 82nd Ave in the amount of \\$12,692,590 \(Emergency Ordinance\)](#)

**Document number:** 190879

**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

535

[Assess benefited properties for street, sidewalk and stormwater improvements in the NE 55th-57th Aves and Killingsworth St Local Improvement District \(Hearing; C-10062\) \(Ordinance\)](#)

**Document number:** 190895

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

**Bureau:** Transportation

**Time requested:** 10 minutes (1 of 2)

**Disposition:** Passed to second reading

Passed to second reading June 22, 2022 at 9:30 a.m.

536

[Authorize a 5-year deferral of single-family residential assessments in the NE 55th-57th Aves and Killingsworth St Local Improvement District \(C-10062\) \(Ordinance\)](#)

**Document number:** 190896

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

**Bureau:** Transportation

**Time requested:** 10 minutes (2 of 2)

**Disposition:** Passed to second reading

Passed to second reading June 22, 2022 at 9:30 a.m.

537

[\\*Amend Intergovernmental Agreement between TriMet and the City for the Division Transit Project for Construction and Close-Out Services \(amend Contract No. 30006859\)](#) (Emergency Ordinance)

**Document number:** 190880

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

**Bureau:** Transportation

**Time requested:** 10 minutes

Previous agenda item 499.

**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

538

[Approve findings to authorize an exemption for a class of public improvement contracts from the competitive bidding requirements and authorize the use of the alternative contracting method of Price Agreements for Urgent Rehabilitation of Sanitary and Storm Sewers Project 2022-23](#) (Ordinance)

**Document number:** 190881

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Environmental Services

Second reading agenda item 504.

**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, June 15, 2022 2:45 pm

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**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 3:30 p.m.

Officers in attendance: Naomi Sheffield, Deputy City Attorney; Megan Lehman, Acting Council Clerk

Council recessed at 2:58 p.m. and reconvened at 3:30 p.m.

Council recessed at 4:00 p.m.

### Time Certain

539

[\\*Adopt the Supplemental Budget for the FY 2021-22 Over-expenditure process and make budget adjustments in various funds](#) (Emergency Ordinance)

**Document number:** 190882

**Introduced by:** Mayor Ted Wheeler

**Bureau:** City Budget

**Time certain:** 2:45 pm

**Time requested:** 45 minutes (1 of 2)

**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

540

[\\*Authorize temporary operating loans between various funds to provide interim funding to cover lags in federal, state, and other grant reimbursements and other negative cash and fund balances](#) (Emergency Ordinance)

**Document number:** 190883

**Introduced by:** Mayor Ted Wheeler

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

**Time certain:** 2:45 pm

**Time requested:** 45 minutes (2 of 2)

**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

541

[\\*Approve the Mt. Hood Cable Regulatory Commission FY 2022-23 Fund Budget](#) (Emergency Ordinance)

**Document number:** 190884

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Office for Community Technology

**Time certain:** 3:30 pm

**Time requested:** 45 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

## Thursday, June 16, 2022 2:00 pm

**Session Status:** Adjourned

**Council in Attendance:** Mayor Ted Wheeler

Commissioner Dan Ryan

Former Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Mayor Wheeler presided.

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

Council adjourned at 2:15 p.m.

## Time Certain

542

[Amend the Comprehensive Plan Map and Zoning Map for properties at 5505-5525 SE Milwaukie Avenue and the northeast corner of SE Ellis St and SE Milwaukie at the request of Renee France, Radler White Parks & Alexander LLP \(LU 21-094203 CP ZC\)](#) (Ordinance)

**Document number:** 190982

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Development Services (BDS)

**Time certain:** 2:00 pm

**Time requested:** 1 hour

Previous agenda item 485.

**Disposition:** Tentatively accept the Hearings Officer's recommendation of approval with the recommended conditions and with additional conditions; prepare Findings for July 13, 2022 at 10:15 a.m. Time Certain.

Motion to tentatively accept the Hearings Officer's recommendation of approval with the recommended conditions and with additional conditions limiting development in the River Overlay, reducing the height of the RM4 properties to 65 feet, and requiring bird-safe glazing on the west façade of the development on the West Property: 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 Absent

Mayor Ted Wheeler Yea

## **Closed caption file of Portland city council meeting**

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

Key: \*\*\*\*\* means unidentified speaker.

June 15, 2022

9:30 a.m.

**Wheeler:** Today is the June 15, 2022, morning session. Call the roll.

**Ryan:** Here.

**Hardesty:** Here.

**Mapps:** Here.

**Rubio:** Here.

**Matt Farley:** Good morning mayor and commissioners. Welcome to the Portland city council city council holding a hybrid public meeting with limited in-person attendance and electronic attendance. If you wish to testify before council you must sign up by visiting the council clerk's web page. You may sign up for communications to briefly speak about any subject. You may sign up for public testimony on resolutions reports, or the first readings of ordinances. In-person may occur in city chambers and love joy room and written testimony may be submitted. Your testimony should address the matter being considered at the time. When testifying state your name for the record. Your address is not necessary. Disclose if you are a lobbyist. If you're representing an organization, identify it. Decorum during meetings so everyone can feel welcome, and safe. The presiding officer determines the length of testimony. Usually, three minutes to testify unless otherwise stated. Disruptive

conduct refusing to conclude testimony or interrupting will not be allowed. If there are disruptions a warning will be given that which result in the person being ejected. After a person is ejected and fails to leave, they will be subject to arrest. Council may take a short recess and reconvene virtually.

**Wheeler:** Communications. First individual item 511 item.

**Clerk:** Request of heather to address council regarding -- on southwest falcon street between southwest 35th and southwest 33rd.

**Wheeler:** Good morning.

**Clerk:** So I don't think they've joined us yet. 512. Wilkins to address regarding magnetic fusion.

**Wheeler:** Good morning.

**Shedrick Wilkins:** I'm glad I'm here. They emailed and it was next week. I can do it. Okay. I haven't talked for two years. State your conclusion first.

**Wheeler:** Somebody's not muted.

**Wilkins:** Maybe they changed it back.

**Wheeler:** Is that barb can you please mute? Thank you. Go ahead.

**Wilkins:** Okay. I'll say it this way at mit in year 2015 there was a breakthrough, people don't like, fusion energy is a lot cleaner. There's laser fusion, magnetic fusion. Involving the [ indiscernible ] invented in russia in 1952. So 70 years ago. There's been made slow process but there was a breakthrough in flexible super -- a breakthrough in super conductors in 2015. They're flexible so you can make a coil wire which induces -- to hold a vacuum plasma with hydrogen gas. There's a break-even temperature. The energy coming in is equal to the energy coming out. In france they're building a thing called eder it's 20 years. Over budget. It's a gigawatt power plant. Once this flexible super conducted was invested in -- invented at mit you can make something the size of this room. And 50 -- generate 50 megawatts of electricity. Which will power oregon state university. Not Portland. To power Portland

you got to wait another 50 years ago. I believe in -- 50 years. I believe in solar cells. Hydroelectric power. [ indiscernible ] lithium is good. Started with the laptops. It was a solve the nighttime problem with lithium. These systems are pretty much under one to \$5,000 to a residential home. I don't take fusion too pushy. It is something that may happen. And I would like to be a part of that. This breakthrough, in other words, instead of trying this big eder thing in france, most international scientists won't [ indiscernible ] magnetic fusion. Laser fusion was abandoned. There's no such thing there's cold fusion. That when the oil runs out the companies will give the answer. They want to maximize their profits. I don't believe that. I want to give what the science teachers in oregon, the s.t.e.m. Program, fusion energy is now international. Not just united states and russia. We'll getting close. That's all.

**Wheeler:** Thank you.

**Wilkins:** That was good. I got it in.

**Wheeler:** That was great.

**Wilkins:** Commissioner fish says I did that good. All right.

**Clerk:** 513. Next individual. Request of fatima to address council regarding division street project safety issues.

**Wheeler:** Good morning, fatima.

**Fatima Magomadova:** Good morning, mr. Mayor and commissioners. I'm -- my comments a as a continuation of last wednesday. This meeting ended with -- major project manager [ indiscernible ] I disagree with the statement. The first one was [ indiscernible ] bleed in the duty to provide public outreach. When in fact -- went to the great lengths to avoid any contact to and their -- citizens and concerns. I disagree [ indiscernible ] interaction with the public. To the contrary pbot shows no knowledge of time of deflective actions. Furthermore, went underground with -- where too destructive to the earnings of retailers. They concluded that the other safety measure including lighting and more traffic signals should be -- people wanted no part of the

that concern and proceeded with backroom plans to extend the center medians beyond the limits. I was -- I'm showing you now right here a drawing of the design submitted that would give our grocery store a left turn opportunity on southeast -- avenue. And access to all parking lot. Pbot was refusing to explain their justification for denial. We have multiple reasons to deny you left turn access. Using studies that are five years old which are not accurate for our current situation. They do not reflect major growth in market business and increase in customer base a may juror tipping point when it was discovered when [ indiscernible ] curb side parking. Try med got p bot to give their only safety bus lane. Starting at 1200 [ indiscernible ] parking lane for condition to the back lane. This back lane was immediately questionable. If not frivolous. By that starting point the buses had been emptied out. When we reached out to solve the problem it was clear that [ indiscernible ] deflected to public requesters. We were told we couldn't have public drawings. This was blatantly against federal requirements. It's in the hands of this council to decide if we're going to do this the right way. The right way is -- such as corridor. Secondly. Stop relationship between trimed and pbot. And new measures to avoid public input. In conclusion I want to ask one question. Are we turning this titanic ship around or forging ahead and ruining division street, stark street, 82nd avenue and i5 bridge. Thank you.

**Wheeler:** Thank you appreciate your testimony. Next individual, please. 514.

**Clerk:** Request market jennings to address council regarding concern about making the healthy business permits program. Good morning. I see her. Margaret, can you unmute?

**Margaret Jennings:** Okay.

**Wheeler:** There you are. We hear and see you. Good morning.

**Jennings:** Thank you. Good morning. My name is margaret jennings. A Portland resident and concerned about the lack of detail in the street seats program and ask

the council and Portland transportation the develop more specific requirements per street seats. I also ask the council to ensure that the existing dining structures on our street parking areas either meet the high-level aesthetic safety standards at the program or renew moved when the [ indiscernible ] on august 31st of this year. And I ask the council to ensure that the street seats program is appropriately funded to enforce its requirements. Since the start of the healthy business program. There's been over 1,000 permit applications that allowed dining sheds as they are known the popular press. These dining sheds located in Portland street parking areas. The program was good for business during covid. But left hundreds of [ indiscernible ] showing age. And they never looked that good to start. The new street seats program in the bureau of transportation shows concern for aesthetics that acquired materials of high quality and durability. I advocate for specific definitions. An under painted and pressure treated wood do not meet my standard for high quality and durability the lack of visibility around and through the structures is another key issue. It's a danger for pedestrian and bicyclists. The current commonly used materials of plastic sheets and corrugated fiberglass panels is not transparent. You cannot see through them from a few feet away or fogged by moisture. We need funding for dedicated group of inspectors who will enforce standards. After all there's likely to be more than a thousand of these dining sheds or hopefully aesthetic structures around the city. We need the council commitment, so it doesn't nation the budget axe. Our current dining sheds drag us down. I hope to see these changes on september 1st of this year.

**Wheeler:** Thank you and I think commissioner Hardesty would like to comment as well.

**Hardesty:** Thank you, mayor and thank you margaret jennings for being here today. And for your very thoughtful letter. We received your letter I think it was yesterday or the day before. And I want you to know p bot is looking into detail answers to your

questions. And let me just say you got some really good ones as you know. We started this process as a desire to save the rest of -- the restaurant industry during the height of covid and some restaurants, like decked out and went absolutely beautiful. And some did what they could in the limited resources they had had at that time. I want you to know how much I appreciate you being here and how thoughtful your letter was to the council and p bot. You'll be hearing from us soon. Thank you.

**Jennings:** Thank you.

**Wheeler:** Margaret I'm not the p bot commissioner and sounds like commissioner Hardesty is all over it. I want to thank you. Those were very thoughtful suggestions. They make a lot of sense to me. We appreciate you coming in and sharing with us. Thank you.

**Wheeler:** Keeland did heather show up? 511?

**Clerk:** No.

**Wheeler:** Have any items been pulled?

**Clerk:** One item has been pulled. 528.

**Wheeler:** 528 has been pulled. Let me just circle that. Please call the roll on the remainder of the consent agenda.

**Ryan:** Aye.

**Hardesty:** Aye.

**Mapps:** Aye.

**Rubio:** Aye.

**Wheeler:** Aye. Number 515 time.

**Clerk:** Appoint adam louis and crystal o'grady and reappoint to the Portland parks and recreation board. Commissioner rubio.

**Rubio:** Established by council in 2001 to ensure the park system delivers on its mission to provide healthy parks in natural areas. Urban forest management, programming for residents of all ages and facilities accessible to all Portlanders. This

year the parks board has two positions. We reviewed 13 applications and interviewed five candidates. And the board recommended on June 4th. Also, up for reappointment Erin and Adrienne. I want to thank them for the willingness to serve another term and thank all the park -- and their continued engagement. Now, Chair, Bonnie will share more about the recommended appointees.

**Bonnie Gee Yosick:** Thank you, Commissioner. Good morning Mayor and Commissioners. Commissioner Rubio mentioned I'm Bonnie and I have the privilege of the [ indiscernible ] Parks Board. There was significant interest in our advisory board this year. There were many exceptional candidates. They include Adam Louis a social impact -- career championing social justice and creating a more equitable world through play, sports, and community. And Crystal O'Grady up -- childcare and fund administrator for the State of or bringing equity and policy development and implementation and government structure. These appointees will replace one member whose term ends June 30th. As Commissioner Rubio mentioned, two other members of the board are due for reappointment with terms ending June 30, 2025. Erin will be serving her second full term and Adrienne will be serving her first term to the board. I know that the Parks Board advocacy and collaboration will be important for the success of a sustainable future for parks. We're looking forward to welcoming the community members to the board. I understand that park staff provided a report -- and reappointments for your consideration. I urge you to approve them. Thank.

**Rubio:** Thank you Chair for bringing the appointments forward. We have Deputy Director able to answer additional questions. Otherwise, Mayor, I'll turn it back to you.

**Wheeler:** Colleagues if there's no questions, I'll entertain a motion.

**Hardesty:** So moved.

**Wheeler:** Can I get a second?

**Rubio:** Second.

**Wheeler:** Further discussion in please call the roll. I'm sorry. Have to ask if there's public testimony. Actually, I'm sorry.

**Clerk:** Walter weyler signed up for this item.

**Wheeler:** Walter, you on board. You out there somewhere? I don't see him in chamber.

**Clerk:** He's online.

**Mapps:** Are you sure he's not here for the land use.

**Wheeler:** It seems it's odd --

**Walter Weyler:** I'm here for a different item on the agenda. Thank you for recognition. I'll see you later. Thanks.

**Wheeler:** Thanks, walter, thanks for warming us up. A little teaser folks for issues coming up later. Call the roll.

**Ryan:** Yes. Thank you, commissioner rubio, for bringing both of these appointments forward. Thank you, adam and crystal and erin and adrienne, for recommitting. I appreciate that we have such an invested parks board. They do a lot of work. I vote aye.

**Hardesty:** I also want to appreciate commissioner rubio for bringing the wonderful canned forward and look forward to the great work that the parks board continues to do. I vote aye.

**Mapps:** I want to thank adam, crystal, erin and adrienne for agreeing to serve on this important committee. And I want to recognize and applied rubio for doing a good job and finding Portlanders to serve on this group. Vote aye.

**Rubio:** I want to thank chair and the board selection committee and the new appointees and reappointees and the entire parks board for their service and willingness to put in hours of their time dedicated to Portlanders in our parks. I vote aye.

**Wheeler:** Great work commissioner rubio and thank you to everybody on the parks board. This is a significant time commitment. I think it's a lot of fun. That's my understanding. We're thrilled to have two individuals stepping forward. Thank you on behalf of all of us up here. We look forward to the recommendations you make in the years ahead. I vote aye. Appointments approved. We're not yet at the appropriate time for the next item. I suggest we pull agenda item 528, please. [ reading item ]

**Wheeler:** I was requested to pull this item from the consent agenda to put forward an amendment to the report. I move to accept the substitute quote certify may 17 municipal primary election results proclaim candidates nominated, elected and any measures approved unquote. Report which includes updated vote counts and vote totals.

**Hardesty:** Aye.

**Wheeler:** The amendment is adopted to the report. As amended. I move the acceptance of the report. A second?

**Wheeler:** Second. We have a second from commissioner Hardesty. Any discussion? Seeing none, please call the roll.

**Wheeler:** The report is accepted. And let's see. Where else I can stall here. Let's go to regular agenda. Do we have michael on board. I'm not sure he's here with us yet. Not yet? So not that one. And we expect the individuals for 530 to be here in person. Call 530. On the regular agenda report. [ reading item ]

**Wheeler:** The Portland -- an important piece of the settle management agreement between department of justice and city of Portland. Ensuring the Portland community on engaged policing success will not only help the city achieve compliance with the settlement agreement it will also help to improve transparency and trust between the community and Portland police bureau. The committee on dp -- it was moved into the community safety division may 13. Prior to that my office and the csd staff had begun planning for how to help them succeed. We have two strong applicants to

appoint to the -- appoint to the committee. The first step to ensuring that the committee can be effective going forward. We're also reappointing a current committee member to continue serving. I will turn this over to stephanie howard my director of community safety as well as mike mier the community safety transition director to tell us more about these appointments. Good morning.

**Stephanie Howard:** Good morning commissioners. Thank you for having me. It will be just me today. Mike will not be joining us. As this commission knows, pcccp had vacant positions. It currently has several. We have as the mayor said two strong candidates to appoint. We intend to bring future appointments forward for council in the coming months. This is the first of several appointments. Applications on file were reviewed by the community safety division to ensure the mayor would have a pool of options for those eligible for pcccp. One of the two candidates selected. And the other is eligible for at-large membership. Anthony russell junior is our youth member and he's being appointed for youth membership which pcccp has not had for several months now. We're excited to see him join the discussion. Anthony brings his lived experience and passion for the issues to committee. He's a sophomore in high school who loves to meet new people and try new things. He's engaged in the community. Strongly motivated to represent youth voices in the conversation about policing in Portland and want to ensure that the experiences of our youth are understood. Nathan castle our second appointee. Appointed as an at-large member of pcccp. Bringing his experience on the training advising council. And helping to succeed -- nathan describes himself as a new but fiercely dedicated Portlander committed to making our city a safe and accessible place for all Portlanders to live, work, play, worship and thrive. Living in the central east side nathan identifies as an urbanist, walker, transit rider. He takes the collaborative outcomes-oriented approach for problem solving and civic engagement. And believes in the potential of pcccp and committed to realizing that potential. His intent on becoming a member is -- working

to improve the relationship between the Portland police and the community. He sees many opportunities to build on existing investments and policy develop processes, open data reporting and community engagement programs to improve reach and awareness. He's improve -- proved his -- he would use this position on pcccp to help Portland achieve community engaged police. We are additionally renewing one member's term anne campbell who served for two years. To complete her term which ended in april, this report would reappoint her to extent her service through august. Anne brought a wealth of experience in public service, education and mediation and program management.

A passionate advocate for racial and social justice and great dedication. If there are any questions, I will be happy to take those questions.

**Wheeler:** Commissioner Hardesty.

**Hardesty:** Thank you stephanie. I have no questions about the appointees, but I do have a question about pcccp itself. We've all read about the issues that they have been confirming. What's going to be different now with the new appointees. How are we going to make sure they're focused on the work they're required to do rather than whole bunch of other stuff which could be possible?

**Howard:** Thank you for that. Yes. Along with the community safety we are working -- division we are working and begun the work to hire dedicated staff to support pcccp. What we've done and what mike miers has done in the community safety division is build a layered group, a unit dedicated to supporting our community groups. That work is really specialized, and they really need to rely on the city to help guide the work and to take care of the administrative aspects of the work, so our volunteers are not spending time handling administrative matters. We want them to be able to do the work we're asking them to do. I think in pcccp's history there's been some failures on our part to provide them with that kind of support. The plan that's really coming to fruition now is to build that layered and specialized

support on an administrative level, so we carry that burden and our volunteers do not.

**Hardesty:** Thank you for that. And I guess my last question is really around, what is the mission of pcccep?

**Howard:** The mission -- we were in the process of refining that. Due to several iterations, it has kind of evolved a little bit here and there. What we're working to do and what we'll be bringing to council within the next couple of months is a revised pcccep plan that refocused on the goals of the settlement agreement that refocuses on what exactly the role of pcccep is in terms of engagement, oversight and how pcccep can help to bring those community voices to the processes including policy development and, again, that engagement. So, i'll be very happy to present that to council. We're in the process of collecting feedback from via on the plan.

And -- along with codification language to ensure pcccep lasts beyond the settlement agreement.

**Hardesty:** That will be a longer conversation. We're not quite sure what role pcccep will play after the settlement agreement. As you know pcccep was put together by the mayor's office. So it's a specific to the settlement agreement. I'm thrilled to hear you're going to refocus their efforts as to what the outcomes that we are hoping for out of this settlement agreement. I think the challenge has been so far across the board that there's really no strategy and no intentions about what the outcomes could possibly be. I'm a big fan. We've had some really good people. We've also lost some good people. And I think it's because we've been so scattered around what their mission is and how they can serve the city in a good way. Thank you so much.

**Howard:** Thank you, commissioner.

**Wheeler:** Commissioner ryan.

**Ryan:** I have a quick question and perhaps I didn't hear this right. Did you say one of the appointees is anne will be reappointed in august or did I hear that wrong?

**Howard:** You did hear that correctly. I should explain that. So one of the issues that we have had with maintaining pccp members and supporting pccp members has been inconsistency in the timing of appointments. So we couldn't provide coordinated and unified training to new members. The grade school with this appoint -- the goal is to create an appointment place in august. So these members and anne will be appointed to august. And we would go through a reappointment process with additional members to provide a focused training and through training so all our -- on what their goal is. What happened previously is that members were joined at different times. It created this very spotty training experience for them and a lot of members gave feedback at -- how difficult that made their work. And make sure everybody has consistent and quality training on the work.

**Ryan:** That makes complete sense. Got it.

**Wheeler:** Further questions? Public testimony on this item?

**Clerk:** We have one person signed up. Dan handleman.

**Wheeler:** Dan, are you there?

**Dan Handelman:** Good morning. Can you hear me?

**Wheeler:** Yes.

**Handelman:** Thank you. I -- important cop watch has no -- pccp members today. Notable there are seven open seats and council only appointed two new members with five seats still unfilled if more than one community member is absent pccp cannot vote on recommendations. We repeat our suggestion that the quorum should be based on the [ indiscernible ] quorum will be five people rather than seven. We thank the mayor for pulling back this -- while the city hires new staff. The important town hall [ indiscernible ] communication with the public the minimal at best. With nothing more that the date. The agenda not posted until the day of the meeting. There's a meeting set for next week. No information should be posted to keep the community informed. The city -- agreed to send out information two weeks ahead of

time. As of this morning's [ indiscernible ] on the positive side today's [ indiscernible ] it clearly [ indiscernible ] which members terms ended, which are extended and when the current members end. It's confusing [ indiscernible ] terms in the august in 77 days. I guess that was just explained. Perhaps council is not able to reappoint until they ask for extensions. The item also lanes in two new members filling those who [ indiscernible ] were starved of new members before it was shut down. Pccp created in late 2018 which is falling apart on its own. The lack of staff and failure to fill seats. Pccp only reports to the mayor. There are practical reasons for this and makes pccp only a quadrant body. If they put in city code, they should advise all of council. Without ad quit staff pccp subcommittees are not met for months [ indiscernible ] when their focused turned to biased crowd control [ indiscernible ] after a huge movement for black lives [ indiscernible ] over [ indiscernible ] black community and stops arrest [ indiscernible ] the majority of people shot or killed by the ppb continue to be people with mental health issues. Groups need to get rolling again. [ indiscernible ] topic of next week's meeting. To ensure they can draft the police bureau report. We urge council to direct pccp all three meetings [ indiscernible ] before presenting to the council in the fall [ indiscernible ] community and reflect that information back to our elected officials. Thank you.

**Wheeler:** Stephanie, dan makes what I think is a reasonable suggestion. In terms of the notification and having the agenda out there farther in advance. I think it's probably related to the issue that you raised, stephanie when you said they needed to have a clear work plan and a better understanding of what comes next. Is that something that you are currently working with mike miers to rectify.

**Howard:** Yes. And responsible for that delay false squarely -- falls squarely with me. I've been hosting the pccp meetings, putting the agendas together and working on those personally so the delay in those rest with me. What we've done, we have hired staff that will begin supporting pccp in the next few weeks. From there I think the

process will be become more routine, further in advance, and again, through mike myers work to create this unit of support people designed for community groups. I think what we'll see is greater consistency with all of that across the board on our community groups to allow for great community engagement.

**Wheeler:** Great if you're going to take all the blame for this it's only fair when we do this you take all the credit. Let's remember that. Thanks, stephanie and I appreciate your work on this.

**Hardesty:** Stephanie, dan also raised a question about the quorum. And I know the quorum for meetings has been an issue in the past. What's going to change with these new appointees as far as the quorum to be able to conduct business?

**Howard:** These two appointees will allow a quorum be maintained while we continue to appoint additional appointees. We plan to have a couple more appointees hopefully by the end of the month council to continue to add and build a cushion on that number and fill those vacancies.

**Hardesty:** Stephanie is the majority of the committee members who show up or is there a set number of people that have to be present in order to -- in order for a quorum to be reached.

**Howard:** I believe it it's a state requirement. The number is seven.

**Hardesty:** It's a problem if you only have seven people on the committee to require everyone to show up. Is there something that can be done to allow business to take place while rebuilding the committee itself?

**Howard:** I do believe so. As I said we're working to get additional appointees to council as soon as possible. And so, I'm planning to expedite that as quickly as possible. In terms of voting issues, I don't believe pccp has any voting issues on the june agenda. So I believe that we will have the ability for them to hold discussions around those things and before voting and making recommendations. They should have additional members to allow for that and meet the requirement.

**Hardesty:** I'm concerned if next week they're going to be reviewing the Portland police annual report this if all seven members don't show up, it's not going to be a useful meeting for the members who do show up and the member of the public if they cannot take action at that meeting. There may need to be either a delay of that meeting or something. Because it's not -- it's not a good expectation to expect everyone to show at every meeting. We would love them to, but life doesn't work that way.

**Howard:** Just to be clear pccp they can discuss and -- they can discuss about issues. They will be able to discuss without a quorum. They just won't be able to finalize a recommendation without that quorum. Again, your point is well taken, and we fully intend to get pccp well full to its membership including alternates.

**Wheeler:** Thank you. You're doing a great job and we appreciate it. It's a difficult issue and you're taking it on, full on. Thank you on behalf of all of us. Public testimony?

**Clerk:** No.

**Wheeler:** This is a report. I will move the report. Can I get a second?

**Hardesty:** Second.

**Wheeler:** We have a motion and second. Further discussion on the report? Call the roll.

**Ryan:** Thank you, mayor and stephanie. Your clarity and accountability was appreciated. And thank you to anthony and nathan for stepping up. I can tell you're good appointments and anne thank you for recommitting. I accept the report. Aye.

**Hardesty:** I also want to appreciate anthony and nathan for stepping into this role. Thank you, stephanie, for getting us to this place. It is clear that there's a lot riding on an effective Portland community committee engaged policing. That's why we call it pccp it's a little tong -- tongue tying.

**Mapps:** I vote aye.

**Rubio:** As a requirement as settlement. Also, effective. I'm glad to hear there's progress to address the past challenges. I'm also appreciative of the mayors two appointments today. I want to thank director myers and stephanie howard for staying on top. And making sure we move in the right direction.

**Wheeler:** I vet aye. The report is accepted. Back to the time certain item. 516.

**Clerk:** June 19, 2022, to be juneteenth.

**Mapps:** Thank you. I'm delighted to join you in proclaiming June 19, 2022, to be juneteenth. The word juneteenth is a mash up of two words. June and nineteenth. It commemorates June 19, 1865. That was the day when major general Jordan Granger arrived in Galveston, Texas and -- General Order Number Three which began with these words. The people of Texas are informed that in accordance with the proclamation from the executive of the United States all slaves are free. In other words, juneteenth commemorates the day when Black Texans learned that the Civil War was over, and all slaves are free. Now, you might notice something odd about the timing of this announcement. Juneteenth commemorates June 19, 1865. Most Americans think slavery ended two years earlier. On January 1, 1863, when Abraham Lincoln, the Emancipation Proclamation. That 900-day gap is a reminder that slavery did not -- slavery did not disappear overnight. The Emancipation Proclamation declared slavery to be illegal in the Confederate States. At that time, the States were in open rebellion against our federal government. So the Emancipation Proclamation did not free slaves. It clarified the purpose and promise of the Civil War. With the Emancipation Proclamation Lincoln made it clear the point of the Civil War was to end slavery in these United States. In the real world, slavery receded slowly and unevenly county by county and for Black Texans slavery didn't end until 900 days after President Lincoln signed the Emancipation Proclamation. That is the day we've come to know as Juneteenth. Juneteenth has been celebrated in some form in some communities since 1865. Today it's often celebrated with parades and barbecues and

recommitting ourselves to -- in these united states. But juneteenth is also a day -- juneteenth a day tinged with sorrow. A liberation story and a story about justice delayed. Juneteenth is not just an opportunity to celebrate black liberation, it is also a reminder that the work of dismantling racial exploration continues to do this day. We should also take a moment to recognize and remember clara peoples. A beloved community member and educator. And she is the undisputed mother of juneteenth here in oregon. In oregon the celebration of juneteenth began in 1945 when clara peoples a black woman from oklahoma who worked at the van port shipyards noticed that her co-workers did not celebrate juneteenth. So ms. Peoples asked her boss if she and her co-workers could celebrate juneteenth on their break. Years later in 1972 she helped organize the city of Portland's first juneteenth celebration and Portland celebrated ever since. It's an to play a -- honor to play a small role -- and that's why I like to take a moment to call on all Portlanders to observe juneteenth and take a moment to celebrate black liberation and please take a moment to renew your commitment to ending racial exploitation in this city of roses. And now colleagues, I have the great honor of turning the microphone over to some very special invited guests. I would like to introduce tiesha reilly with the city african-american net -- network. Who will share further reflections.

**Tyesha McCool-Riley:** Good morning, everyone. First, I would like to start off by saying good morning and welcome to the black family those who work for the city who live in the city. We thank each of you for joining us today. Also, good morning and welcome to you mayor, commissioners and all other city staff and affiliates. Thank you for joining us as we acknowledge and celebrate juneteenth. I'm a Portland native and the mental health program specialist with the office of community and civic life. I'm part of the can leadership team for the city of Portland. Can is a city -- group. We advocate for african-american employees for fair employment, workplace treatment, equitable employment opportunities and mental health needs.

And -- gaps for african-american employees. Also, to promote a person-centered workplace working to implement systemic change work that will [ indiscernible ] policies and practices to address and eradicate anti [ indiscernible ]. That we produced last year. Today as we all gather let us look around the room at one another and give hopper and space to our daily struggles as a people. Let's also reflect on our history and the blood, sweat, tiers, struggle, pain, trauma that our ancestors experienced. Amount of resilience and perseverance to push through a time when you were not considered to be a human being of any value to the world, yet your works and labors brought [ indiscernible ] generations. Let's not today just celebrate the freedom of blacks from slavery. There are changes that have taken place we have a long journey to travel as we live in a world full of hate where our people are dying at unprecedented rates just because of the color of their skin. Let's honor and remember those who come before us and have the courage and strength to endure ridicule, violence and harm in order to for us to have the freedoms we have today. The freedoms I have as a young black woman to sit in front of you with the first black elected commissioner in the city of Portland to freedom of access to education. The freedom to sit in front of you as a mental health expert. Let's not let our progress prevent us from seeing what the reality is. There's yet work to be done. And the undo responsibility is not on the black person. It's on the people who exist within our worlds who see us as less than inhumane and a waste of creation. Let us, today come together in unity and love and care and compassion to say we stand together, and we celebrate the rightful truth of blacks being free. Free from being property, free from being hurt. Free from racism, systemic racism. Discrimination. Free from fear of dying at the hands of a white man. Free from the side eye and clinching of the purse. Free from the stereotypes of society and the narrative that creates a black person as the problem. Let us today celebrate we can coexist and come together and create power to make a change that is necessary for the human race

because we all know that when the black community does well, everyone else benefits from it. As we celebrate and proclaim -- let us go forth in meaningful intentional ways to dismantle racism. Let us go in a way that centers us from being value, worthy, important necessary to the thing we call life. In my closing I say as I have said before when I see black I see beauty, strength, endurance. Love, I see hope. I see resilience. Thank you.

**Mapps:** Appoint of the program where reflections that might be appropriate. I believe our representatives from caan will read a -- most of the proclamation except the tail end.

**Wheeler:** Commissioner a comment?

**Hardesty:** Yes. First, let me thank you for being here today. This is only the second year that Oregon has celebrated with a -- an official holiday Juneteenth in Oregon. It's with mixed emotions that appreciate the official holiday as we know it's now a federal holiday. And I would be remised if I didn't remind us how we got to an official holiday. We didn't get here because somebody figured out that 1776 was a long time ago and we should acknowledge the black experience. On this journey. We got here because there were tens of thousands of people in the summer of 2020 decided we could do better, and we must do better. We must acknowledge the pain that black Americans continue to experience. We must acknowledge that white supremacy is alive and well. Not just in the state but all over the country. We must acknowledge that the safety of black community members is at risk every single day. And the state of Oregon -- in the state of Oregon. As a 60 plus-year-old black woman I can tell you I have lived all over the world. This is the most unsafe I have ever felt in my entire life. Just for breathing, for existing, just for walking down street. And so, I hope as people appreciate their day off from work that people recommit to exposing white supremacy where we find it. And -- this is for white folks, we need white folks to stand up again, two years ago for a couple of months was cool. But guess what,

rather than getting better, it's gotten worse and the daily barrage of racist incidents all over the state should not be ignored by white people just because it's not happening to you. The reality is that it will take all of us to create an inclusive community. And black people have carried the brunt of that for way too long. I'm trying not to depress people today. Let me say this is a great opportunity over this weekend to -- to if you don't know, to educate yourself about the importance of Juneteenth and the importance of really living our values when we say we want to be an inclusive workplace of a preference that people want to be at. We cannot ignore the continued exodus of black employees at the city of Portland while we continue to say we're about equity. It's my hope now is that there's a federal and local national holiday recognizing Juneteenth that we see this as an opportunity to recommit to dismantling anti-blackness in the city of Portland to dismantling white supremacy ideology. And I hope it's a call to action to white community members to step up and -- in ways that you never imagined yourself stepping up. I will tell you black folks are tired of having this conversation. We've had this conversation for hundreds of years. And if not now, I don't know when the white community will step up. It was fine for a couple of months, but this is a lifelong journey, and we need you in it for the long haul. I honor Caan for the work you continue to do. I know it's hard work. People don't want exposed or done. You do it with class and intentionality each and every year. I applaud Caan. I applaud all the black employees here at the city of Portland and I want the community to know that regardless of what we say, the reality is the outcomes have not changed much for black folks in the city of Portland. It won't without a concerted effort of all of us. Thanks for being here today.

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

**Rubio:** Thank you mayor and commissioner Mapps and the Caan leadership and bringing this proclamation forward. Tiesa, I want to thank you for your powerful words. We needed to hear them today. It's an important day of reflection. It needs to

be about action. And to drive the point home, just yesterday we had a work session on the albina division trust to -- to bring a vision forward for a reunited community and neighborhood. That's an important action and a reminder that we need more concrete actions on this scale. Not just externally but internally as well to make progress on racial justice and to meaningfully reverse injustice and anti-blackness and it starts here with us at the city. Valuing and seeing our black employees and their experiences and today we have a chance as my colleague mentioned to readvancing that work that is community led accountable to our past and supports a self-determination and liberation of black people and their contributions of the community and everywhere. I want to thank you for your work and honor your voice. I'll keep this vision in my mind and heart today.

**Wheeler:** Thanks. Commissioner ryan.

**Ryan:** Thank you mayor and commissioner mapps. And thank you commissioner hard city for your statements. I want to start off by acknowledging you tiesha. It's great to see you live and here from the african-american network. I was bummed for a minute because I wanted all three of you talk more. It's about you being here and you listening to that matter it is most and the good work you do in between these proclamations. I have all the stuff written here that doesn't make sense anymore since I'm going after such eloquent people. I'm one of people that knew about juneteenth but wasn't until a couple years ago that I was able to reflect on it more. Knowing that it was what I liked about your story that you told well commissioner mapps that it came on the -- from the community and how they responded. It was a different time. It took two years. That's still true today and we all know it wasn't free in texas two years afterwards. We can talk more about that about 2022. It's about the action. And commissioner rubio mentioned that. I was reflecting, too on yesterday's conversation about albina vision trust. And how strong we have to stay when people don't get. It the action is not just restorative but about prosperity for the entire city. When we do

right for those who have been the most shut out, we lift prosperity and freedom for everybody. It was great we had that session today during this week. I'm grateful to be on a council that has frequent action items that are connected to racial equity. And for that and so much more I stole that line from your commissioner mapps. I am really thrilled to be here today and to do everything I can to build generational wealth. That's one reason we had homeownership as part of this year's budget. If we don't start looking at entrepreneurship [ indiscernible ] we're looking forward to hearing the proclamation.

**Wheeler:** Thank you, colleagues, as we've heard from our fantastic network employees juneteenth symbolizes more than just words. It's a commitment to eliminating anti-black racism within the city of Portland's community opinion but also within our own walls and the city of Portland and within our workforce. In addition to the juneteenth recognition the city adopted the six core values back in 2020 to guide the city's decision making to shape our work force culture. Fiscal responsibility. We now center these decisions in every decision we make. We're focused on making the city a place where black Portlanders can thrive. The black community has and continues to experience oppression and suppression. And this has gone on for more than 400 years. When Oregon was founded as a state in 1859 the constitution explicitly banned black people from living, visiting or owning property here. The last time I [ indiscernible ] somebody said why do you keep mentioning that? The reason is because it's part of our history. And as a student of history, I'm sure commissioner mapps you can never escape your past. The past history bleeds into the present and shapes the future. It's not a foregone conclusion that history dictates future. You have to accept it to understand it, to acknowledge it, and to be able to embrace and move on. The goal is we want to move on together. With all want to see our city thrive, families thrive, and our workforce thrive. As we heard from you and some of our colleagues to this day navigating life as a black Portlander doesn't come with the

same privileges nor the same assumptions as others in the community. Systemic racism continues and this is just fact actually true. To create barriers to safety, and to wealth re -- [ indiscernible ] by very smart people consultants and others who collect data and information. We know this to be true. So with the night of the past, we build a better future. To me that is why Juneteenth is important. It's not just a holiday. It's something to strengthen our collective understanding. About the past and presents and where we are and have a clear-eyed view in order to change. And create that successful future we want to achieve. With the collective knowledge we can create a society that is safe, supportive, and welcoming to people of all backgrounds. I think I said last year and I'll say it begun again. If Portland can't do it, nobody can. We need to be a community that shows how it is to be done. The work is hard. We need to do the work. And we are doing the work been I'm very proud of this council and the work we did on this budget that we just adopted a week and a half ago where there's tremendous intentionality around these issues. And I think we're not there clearly. But we're on the road. We're on the right road. And I appreciate the work of my colleagues and the work of our employees. We've got a great workforce here. The workforce has been under a lot of pressure during the last two years. And so, thank you for being here and thank you for your eloquent words. We appreciate it and with that, I'll turn it back to -- commissioner Mapps.

**Mapps:** Now I have the honor of turning the floor back to our represents from Caan to read the proclamation.

**Ira Bailey:** Thank you. Commissioners, mayor. First, I want to say good morning. My name is Ira Bailey on the Caan team. You hope opened the floor I didn't prewrite anything so I didn't feel comfortable. But I am very much appreciative of the work and explanation that commissioner Mapps gave on this. The passion that commissioner Hard City and the rest of the council gave on Juneteenth. My request is that as we read the proclamation that those who hear it actually take time to consider

what the words mean. As you mentioned yes, the emancipation proclamation is widely celebrated as the elimination of slavery in the united states in actuality it only freed the slaves in the confederate states that rebelled against union. There was [ indiscernible ] still maintained. It's not just the words. It's the actual intent behind it. And so, take a moment and think, what do these words mean in what do they mean to me? Not just, what are the words saying. What are the actions being done but is there heart behind my intention of those words. We can have policy, rules. If the heart is not there -- there will not be change. Juneteenth is the celebration of more -- not just change but opportunity. Saying I don't have to be snuck the past. It does impact us. I don't have to be stuck there. I can make different choice, pursue different opportunities. Speaking of which we have an opportunity to celebrate with us in the flesh this friday at fire state -- fire -- the interstate fire house. Thank you. Complicated words. We're going to have a celebration from noon to 6: 00. It was presented and put together by our own jurrell here.

**Jerrell Hosley:** We'll be celebrating at interstate fire house culture center from 12: 00 to 6: 00. Free haircuts, music, norman sylvester band to hear. We'll have african dance, spoken word. We'll have miss juneteenth speaking as well. We'll activate the space and with the history I know a lot of council mentioned the historical fact. -- we'll be providing education as well as future plans of that space for black americans within the city of Portland. So just going to be an all-around intentional day of celebration.

**Bailey:** Feel free to edit out my jumble of interstate fire house. I could not say it. To begin it is proclamation. Thank you again for allowing us to read it this year. Whereas since the inception of the united states beginning with the first known europeans to set foot on this land in 1492 peoples of nonwestern european descent have had challenges obtaining equal and ethical consideration respect and treatment by those of western european descent. Began as a method of obtaining cheap labor

based on class, social position and criminal punishment. It evolved in involuntary slavery based on race.

**Bailey:** Whereas on september 22, 1862, union president signed january 1st the emancipation proclamation which declared the freedom of slaves in confederate states and allowed blacks to fight on behalf of the union.

**McCool-Riley:** Whereas on december 6, 1865, the 13th amendment to the institution of the united states was ratified thus ending slavery in nonconfidential servitude in the traditional. We now -- traditional united states.

**Bailey:** We now -- the. We celebrate the end of slavery in the united states. And juneteenth evolved in a way to pay -- a powerful opportunity for critical reflection, social action and examination of our progress toward racial equity and process. We recognize neither spoken proclamation, written word nor legal public policy is enough to establish change that creates climate that considers and respects and indicative and demonstrative of the I deal that all black people, all people are created equal and while we celebrate juneteenth as the end of slavery in the united states, we acknowledge that -- in the united states.

**McCool-Riley:** We demand our truth must be heard loud and clear. We are declaring the black family, community, black experiences valuable, powerful, majestic, graceful. Driven, principle and flourishing in spite of our [ indiscernible ] and restriction and whereas black resilience, brilliance and power can be found weaved throughout the. And continue to break barriers. Challenge the status quo and create opportunities for contributions to be highlighted and embarrassed. And we as a people are saying no more of the same our humanity matters triumphs matter lives matter. Our black experience matters. Today we celebrate our blackness without reservation or hesitation but with pride and honor and whereas we call upon all peoples to join us in this celebration of freedom from physical, mental, emotional, financial, ethical moralistic and spiritual slavery that contributing to harm of self,

family and community regardless of race, age, gender, or ability. And we call upon all peoples to join us in the celebration as we use this freedom from these slaveries to exercise our minds to build, hearts to love, words to encourage and hands to heal.

**Wheeler:** Therefore, I ted wheeler the mayor of Portland the city of roses here by proclaim june 19, 2022, to be juneteenth and encourage all peoples to celebrate this freedom not just on june 19th, but on every day. Thank you for being here.

Appreciate it.

**McCool-Riley:** Thank you all. He's been working hard behind the scenes.

**Hosely:** Jurrell hosely part of the team.

**Hardesty:** Thank you for the work you do.

**Wheeler:** Thanks. Back to the regular agenda. Item 529, please.

**Clerk:** Appoint nancy hendrix.

**Wheeler:** Cool -- this replaces mike jordan who has been the city's representative to the urban flood safety and water quality district. Here to introduce this appointment is chief administrative officer michael jordan also joining us to say a few words and answer questions is nancy. Welcome.

**Michael Jordan:** Thank you, mr. Mayor. My name for the record is michael jordan chief administrative officer for the city. It gives me incredible pleasure today to introduce this matter to you. I have been sentenced to this for a few years. And I am throwing myself before the parole board this morning. In all seriousness, the city has been involved for the -- to give context for those watching. The city has been involved in a conversation with multiple other districts and cities around the city. Now since about 2014. Regarding the levies that protect the area around the columbia slough and the development that happens there, the Portland international airport, multiple interstate freeways and about 59,000 jobs that exist in that area are protected by the levy system. In -- around 2014 the corps of engineers changed the standards by which levies are certified across the entire country. The levy system in

Portland came up for recertification around that time. They were found to not be adequate to meet certification. That began a discussion and project of multiple jurisdictions including city of Portland about what to do about that. The four legacy drainage districts that serve the area are restricted in the way they can raise money to assessments on property. Those assessments are considered property taxes under measure five. They cause significant inequities when applied to the property across the landscape of those four districts. It's been concluded that governance system and finance system cannot meet adequately the needs in a [ indiscernible ] to get recertification. A piece of legislation was submitted to the 2019 legislature and the legislature approved that nearly unanimously, by the way. To create the urban water -- urban flood safety and water district. Rolls easily off the tongue. That district has an initial board that is an appointed board. A 17-member board that 12 members represent in the Portland area, and five members appointed by the governor serve as subject matters. That I've had the pleasure to chair. Taking on the role of chief administrative officer I thought maybe someone else should represent the board. Nancy has graciously agreed to take on that work for the board. Nancy is currently the water shed onm manager at the environmental services. Also, the member of the multnomah county drainage system board. And is familiar with the issues around this transition that is going on. And prior to nancy's job as the water shed onm manager she managed the columbia slough watershed. She's familiar with the issues.

Mr. Mayor, I will stop there. The council may have questions for me and quite frankly nancy might be in cyber space.

**Wheeler:** I don't know -- do we -- do we have nancy on zoom? I don't see her.

**Ness Zolan:** She's logged off.

**Wheeler:** Nancy are you out there? Well, any rate. Colleagues any questions? Very good.

**Mapps:** One here.

**Wheeler:** Commissioner ryan.

**Ryan:** Thank you for that thorough report. It was good to listen to that. All the information. My question is this week a lot of us were noticing how high the water levels were. So what kind of conversations were going on amongst all of you?

**Jordan:** Thank you for the question commissioner. Actually, the columbia gets very near to this stage almost every spring. This is higher than normal granted. But there have been multiple years in just recent history that the columbia has been near this stage. We don't necessarily call it flood stage because there isn't significant flooding across the area in the Portland merit poll tan area. But the levies, without the levies there would not be a lot of development in the columbia slough floodplain. And I might add, which thank you for the question. Many of the jobs that are predicted to be created in the Portland metro area in the future will also be in this floodplain. Without flood insurance we are not likely to see those jobs develop. Recertification is necessary to maintain flood insurance in that area. So thank you for the question.

**Ryan:** Helpful.

**Hardesty:** I wanted to say thank you for your service on this board. This is going to be, we hope, a very inclusive equitable new water quality district when all the work is said and done. The impact will be for generations to come. So, I guess I'm very thrilled that you found a replacement that is just as geeky as you are about these issues. I certainly remember taking the boat trip with you and having this conversation before I had the privilege of serving here. There's so many communities that are impacted by this levy in the columbia. So I just wanted to say thank you for your service. I had no idea you were doing that in addition to all the other stuff that you were doing. In your day job and now with your new day job it is probably absolutely the right thing to do is to give this to. I just -- to someone else. I know ultimately there will be an elected board that will represent all the stakeholders in this

area. And that's just such a huge lift. Grateful for the work up to this point and thank you for keeping us focused.

**Jordan:** Thank you for recognizing that. I want to say -- nancy has come on. I want to say the legislation that the legislature passed expanded the role of the new district and it went beyond just flood safety. There's an environmental role, water quality role and equity and cultural role to respect the communities that have occupied that landscape for millennia. So thank you for that.

**Wheeler:** Colleagues, other questions? Do we have public question.

**Jordan:** Nancy is on.

**Wheeler:** Nancy did you want to make comments. Thank you for your willingness to step forward. We appreciate it. Thanks for liberating michael.

**Wheeler:** You're on mute. If she went away, she can't say no. Any public testimony?

**Clerk:** No one signed up.

**Wheeler:** Let's make her day. I'll entertain a motion to accept the report. Further discussion? Seeing none, call the roll.

**Ryan:** Aye.

**Hardesty:** Aye.

**Mapps:** I wanted to thank nancy for stepping up and taking over this important responsibility she has big shoes to fill. I want to reassure my colleagues she is well equipped. Deep subject matter expertise to this important work. I sure hope that as this project unfolds this council can learn more about. It I think it's incredibly important because the districts that this committee will be standing up will help us improve our flood safety infrastructure. Help us prepare for climate change and god forbid we actually have a major flood this district will help coordinate with the federal government to recover from flood damage. Very important forward-looking work. That is one of the many reasons why I'm happy to vote aye. And appoint nancy to this important job.

**Rubio:** Thank you mayor wheeler for bringing this forward. Thank you, director jordan, for your past service. This is a timely appointment given what's happening today. I want to thank nancy for stepping up in this role. Aye.

**Wheeler:** Happy to vote aye. The report is accepted. I see you finally made it on. It's too late to back out now. Did you want to say anything?

**Nancy Hendrickson:** When you try and unmute when your earphones it takes you out of zoom.

**Wheeler:** Technology. Nancy thank you. We all really appreciate your stepping in. It's complicate and we thank you for your service.

**Hendrickson:** I'm honored to serve. We can't go to the time certain yet. Go to item 531. A report. [ reading item ]

**Wheeler:** Implementation strategy record. The Portland bureau of transportation is working to development a bike network in east Portland. To execute a contract so work can begin on the \$4 million highway which is a vital piece of the bike network. Biccio taylor is here to walk us through the report.

**Biko Taylor:** Good morning mayor. City council. For the record I am picco taylor chief procurement officer. In january 2021 approved -- for this project. The initial engineering estimate for this project was 1.382 million and the confidence level was. To bid on february 4, 2022, with a due date of february 3, 2022. We received four bids in total. Initially the lowest by was provided by brown contracting. Reported at council on this one april 20th. We -- at the request of council requested more participation and review of brown contract. Brown has since withdrawn the proposal and as a result we are awarding the contract to the second lowest bidder which is interlaken. 3.5% under budget. The city's equity goals a picture ration goal. And supply utilization. For business inclusion diversity or covid. They did apply that goal –  
**\*\*\*\*\*:** With 19.46% with those subcontract awards going to minorities. If there are any questions about the procurement process, I'm happy to answer now.

**Wheeler:** Commissioner Hardesty

**Hardesty:** Thank you, mayor, and director Taylor. Let me say this contract looks better than most that come to the city council. I had my staff ask you, if you knew like how many contracts Inter Lake has received from the city of Portland in the last 5 years.

**Taylor:** Oh, yes, we provide that to your staff, commissioner Hardesty.

**Hardesty:** I have not seen it yet. My apologies. Do I have it in writing?

**Taylor:** You have it with research for you and Inter Lake is one of the five that you requested research data on. We did provide that.

**Hardesty:** Thank you for that.

**Taylor:** No problem.

**Hardesty:** That ends my question on this particular one. We will have conversations on the list of five that I gave you.

**Wheeler:** Thanks commissioner. Any further questions on this? Keelan, any public testimony?

**Clerk:** No public testimony.

**Wheeler:** Please call the roll. [roll call vote].

**Wheeler:** Report is accepted. Colleagues, we could move time certain. Let's go to 532. Procurement report.

**Clerk:** Accept bid of Landis Construction for \$9 million \$17,921.

**Wheeler:** Pre-place storm sewer pipe. This project will conform -- construct storm water facilities to improve system capacity and replace ADA ramps to improve access within the project area. Chief procurement officer still with us, I see him, to discuss this. Thank you, Beacon.

**Taylor:** Thank you, Mayor Wheeler. Council approve ordinance for this project. The Bureau's overall budget was \$10.3 million. The cost was high. Invitation to bid on March 31, 2022, with due date of May 5, 2022. We received three bids. Landis was the

low bidder on the project and the awardee today. The proposal came at \$9 million which is 12.7% below the bureau's budget. The city standard covid aspirational goal of 20% applied to the project. We provided a breakdown of the utilization. One of them came at 23% of covid of subcontract firms and 11.47% a located to n sheer's. Any questions about the procurement process, happy to answer them now.

**Wheeler:** Do you have a question? It doesn't look like any questions on this. Keelan public testimony on this.

**Clerk:** No one signed up.

**Wheeler:** I will move the report. Any Hardesty seconds the report. We will to time certain.

**Clerk:** Consider the appeal against the design commission's decision to approve the central city master plan for 8-acre site in the university south downtown subdistrict of the planned district.

**Wheeler:** Colleagues, we have a quasi-judicial item in front of the council. We are here to adopt the final decisions on to approve master plan for river place. As reminder, this item was in front of the council on may 26th. At that time, we heard testimony and closed record and took tentative vote. We're back to take final vote and adopt findings. Commissioner ryan, my understanding you would like to make a motion.

**Ryan:** Yes. Thank you, mayor. Council heard testimony and discuss the need for multi-bedroom housing units that is units with two or more bedrooms in the central city to attract support for families. Council finds that the additional condition m agrees to buy the applicant requiring phase I to include one hundred multi-bedroom units and enhances the consistency with the encouraged housing supportive of families today. The amendment to condition j, correction to clarify the expectation of advised request for the open areas for the land use reviews before the areas deemed complete. I would like to move that we deny the appeal and uphold the decision of

the design condition with one revised and one additional condition and additional finding and adopt the findings and conclusions in the attached approved criteria as amended. Lin le, can you read the conditions?

**Linly Rees:** Good morning, council. Lin le, city attorney office. I would be glad to. Add the language. Any new development and remove the phrase on the site. It reads as follows. Condition j, designed request meeting held for each new building and new development within the master plan development prior to land use being complete. Second, condition m, added as follows. Accordingly, development in phase i, include 100 multi-bedroom units. Third, council approval criteria matrix, as follows. May 26th hearing, council heard testimony and discussed the need for multi-housing units that's units with two or more bedrooms. The additional condition m, requiring phase I to include 100-bedroom units further enhances the master plan consistency with policy to encourage housing supportive of families. Commissioner, I will note that these changed conditions and findings were made as part of the tuesday memo and were posted along with the agenda. I'll also note that representatives of the parties are present. If they, for example, any objections from the applicant conditions, they would do so. It is my understanding the applicant agrees to the changes. Thank you.

**Hardesty:** Do you need a second on that.

**Ryan:** Yes.

**Wheeler:** Commissioner.

**Hardesty:** Moves and seconds. The record has been closed and there's an expectation there would not be additional testimony. These amendments respond to the testimony that is received and therefore no need for the testimony.

**Wheeler:** Very good. I appreciate walter. I saw you out there and I appreciate you being here. Very good. The motion is on the table. Any further discussion to the motion? Seeing none. Please call the roll. Is this an amendment or actually the motion with conditions? My understanding it is a motion with conditions.

**Rees:** This is the final motion to deny the appeal and approve.

**Wheeler:** I thought so. Please call the roll. Ryan.

**Ryan:** I want to thank the staff and the community. Good job in listening. Weaving the conditions the top of mine testimony that we heard during the hearing on may 26th. Good work. I vote aye.

**Clerk:** Hardesty.

**Hardesty:** I want to complement commissioner ryan for working on a success for multi-apartment dwellings to encourage two bedroom plus units to be built in the central city. I had tentatively voted no because I thought we could do better.

Commissioner ryan, I think, we made this a little better. Because of that, I will vote, aye.

**Clerk:** Mapps.

**Mapps:** I want to echo the phrase that we heard from commissioner ryan today. I appreciate your leadership in making this particular item better. For those reasons and more, I vote aye.

**Clerk:** Rubio.

**Rubio:** I want to thank both parties on the appeal for engaging council and giving us giver context to their arguments beyond what was written. I want to thank commissioner ryan and his team for his leadership and hearing concerns, bringing back the conditions, and making it much better for supporting this after reading the record. I was on the fence last time and I am supportive of this package coming forward. Again, I appreciate everyone who presented and who testified and also want to thank the city attorney for their help on this as well. I vote yes.

**Clerk:** Wheeler.

**Wheeler:** I want to thank the parties. Commissioner ryan thank you for leading an effort to forge a compromise between the parties. It is a very solid compromise, and I am pleased. The work will go forward with the conditions as you proposed in the

report. I vote aye. The appeal is 5-0. Upheld with the amended conditions. That concluded the work on the particular item. Next item from the regular agenda 533.

**Clerk:** (reading agenda item 533).

**Wheeler:** Colleagues, I will turnover to Katherine. She's the procurement analyst from PPD to tell us about this item. Welcome.

**Kathryn Linzey:** Thank you for having me. My name is Katherine. I'm with the Portland Police Bureau. I would like to present some information about this agreement and amendment. Today, Portland Police Bureau is requesting authorization to increase the value of human services. In order to maintaining the valuable partnership and supporting and advocating for domestic violence within our community. In 2008, the city council authorized an agreement between [indiscernible] services and Portland Police Bureau to fund a portion of the salary for domestic violence coordinator. This was done to facilitate a coordinated response through domestic violence -- the family violence coordinating council is a multi-agency, multi-jurisdictional within Loma County. This position helps to facilitate to coordinate the information gathering through council membership, meetings and events and provides membership opportunities for networking and activities to solve problems and share approaches to address sexual and domestic violence. Identifies unmet needs and strategies to close the gap within available resources. This position is housed within PPD and works with the family units in the detective division. Add three full-time advocate positions to facilitate the work done with survivors in crisis for the family services division reduction unit. When we added those positions, that stabilized the position, there used to be facilitated by non-governmental organizations. Loma County took the positions in and offered them to the city to provide these services. So that stabilized the position given consistency of advocacy and support services to survivors of domestic violence. Hours to advocate and serve the clients. According to Loma County website, domestic violence in Loma County as of

last year, shows these statistics. One out of 7 women aged 18-64 was physically abused by int matt partner by last year. Almost 20 thousand women were physically abused by partners in the past year. One out of 9 women was assaulted in the last year, 20 thousand women. One out of 20 injured as a result of domestic violence. They also go on to show young children are especially affected by violence. 21 thousand children were exposed to domestic violence last year. Half of the children exposed were under 5 years old when witnessed the violence. And then two-thirds who heard domestic violence, witnessed -- at least once a month. Providing enhanced and coordinated response is important to ppd and the loma county department of human services and we request to amend the agreement to continue the important work. That's all I have for you today. I thank for your time.

**Wheeler:** Very good. Any questions? Commissioner Hardesty.

**Hardesty:** Thank you, mayor. I know domestic violence went up at beginning of covid. It went from 10 percent to 500 percent depending on what week we were counting. I'm curious whether we have a plan with the police bureau and loma county in partnership to address the huge increase in domestic violence that we are experiencing. If so, what is it?

**Linzey:** Thank you for asking that question, commissioner Hardesty. For that question, I'm going to ask the lieutenant in the family services unit -- lieutenant rachel andrew to answer the question. Lieutenant andrew, are you online?

**Rachel Andrew:** I sure am. Thank you. So happy to be here and talk with you. Thank you, commissioner for your question. Yes, throughout the covid situation we have seen increase in domestic violence. We have noticed that it stabilized in the last calendar year. Trying in minimum the impact is advocacy. Great partnership with loma county and advocates. During the covid, the advocacy program lost a number of staffing. We have finished just now rebuilding the advocacy staff to have better outreach. As you know, commissioner, it is not just the initial contact with survivors

but the continued relationship. That's what we're here today. It is about strengthen the relationship by having the coordinator position.

**Hardesty:** Thank you lieutenant, andrew. On that note, domestic violence survivors, the police officers that investigate the situations. I thank the opportunity when we get to talk about domestic violence to say what great job the team does. Every rumor about moving out the officers out of the gateway center and requiring the victims of the domestic violence and go to a community to be served. I will take the opportunity, lieutenant, to ask any plan to move the officers out of the gateway center for domestic violence?

**Andrew:** Again, awesome question. Unfortunately, I'm not at the level to give you great answer for that. The folks that work out of the building love being here. To your point, we are with loma county and other providers, the collaborative effort for the survivors has been affected. I'm not able to forecast due to budget reasons if we are moving or not.

**Hardesty:** We just passed a budget, and you are not suffering from budget losses at this moment. I think it is used as a tool just make people crazy. I appreciate, lieutenant, you are not the one to answer the question. I need to have it on the record. Valuable services provided and I would hope broader conversation before massive moves like that would be implemented. Thank you, lieutenant. I appreciate your testimony as well as katherine. Thank you.

**Wheeler:** Thank you. Commissioner Hardesty, any further questions? Any public testimony.

**Clerk:** No one signed up.

**Wheeler:** First reading. It moves to second reading. Thank you katherine and lieutenant. Thank you. 534, please.

**Clerk:** (reading 534).

**Wheeler:** This is emergency ordinance. Commissioner Hardesty.

**Hardesty:** Thank you, mayor. I believe I have staff on the line to talk about 534.

Andrew is here.

**Julia Reed:** Yes. Hello, everyone. My name is julia reed. I will share my screen. Thank you. Can you hear me? Yes. My name is julie. Senior transportation planner. I'm here to present on requested council action for the authorization of consultant/contract for work to improve to 82nd avenue. As of june first, 82nd avenue has been managed by the city of Portland. Excited for the opportunities to make the 82nd avenue the street that it can be. Requested council action to authorize contract with kpff for engineering design and planning services to address fixes and community planning in the amount of \$12.7 million. The kpff consulting team was selected for qualifications and ability to make 82nd avenue a safer place. This contract includes two tasks. Part one is the design and engineering of near-term critical fixes. Part two, the planning. The engineering work needs to be completed on a rapid timeline and it requires a team with a proven track record of successful delivery. The kpff team has record of driver e successful delivery. Delivering this quickly, will be delivered on the first projects are the ones identified in the 2019 pbot 82nd plan. A little more information about the team will design lighting and improvements by 2026. And the team will design corridor improvements as they will include 9 rebuilds and accessible curve ramps. A lot of folks don't know, less than 5% of 82nd avenue meets current standards and with the authorization of the contract today, it will bring the corridor to 60% of meeting current accessibility standards. Work to be done after the initial investment. At the same time, the team is working on the initial critical fixes, we will also be planning for the future and working wear glasses community to identify and confirm community supportive vision for the investments, finalizing and implementation project list and working with partner bureaus and agencies to support community and smaller businesses. The professional services for the project is \$11 million for design and engineer and 1.7 for planning. The teams budget and

scope development with budget and staff and aligned with industry standards. The team exceeded the dba requirements and the goal with participation rate of 32.55%. What's next? We have engagement opportunities coming this summer.

Improvements are beginning this summer include handgun striping of crosswalks and updating street signs and updating the crossings and we're actively engaging with working with community organizations and agency partners. The consultant partner is essential to deliver the improvements in the avenue. We are excited to get rolling with the community conversation. With that, I will hand it back to commissioner Hardesty.

**Hardesty:** Thank you so much. I think it is very exciting that we are beginning this process on 82nd avenue. Just for folks who are listening on this presentation, this is just an e first phase of work on 82nd avenue. These are the dollars that we were getting to do some of the immediate safety changes. The big changes will be coming down the pike after that will complement the safety improvements. I also want to take this moment, thanking council for providing additional resources to help with the improvements during the budget vote. Let's see that was \$2.5 million in opra funds to support developments and affordable housing and small businesses. I look forward for future stabilization needs as we continue to improve 82nd avenue. I support the ordinance for the fixes on 82nd. My team is ready to go to work and make the improvements a reality. Thank you, mayor. I'm happy to turn back over to you.

**Wheeler:** Very good. Thank you. Colleagues, any further questions? Public testimony on this item?

**Clerk:** Two people signed up.

**Wheeler:** Great.

**Clerk:** First up, we have robert butler.

**Wheeler:** Butler is on board. Go ahead, robert.

**Robert Butler:** Thank you. I'm glad I'm on. I will share the need for this becoming an emergency. I think the emergency is the way the division street project went. That's the emergency until we deal the fall off from that. The scoping is wrong for us now. This is the wrong time for the scoping. By the way, I don't know where the 12 million 7 hundred thousand came out either. The scoping is what's wrong. What we need to do is prevent history from repeating itself. What pbot did disgusting on division street. We need to step back and research and don't ignore the input. There's officials that believe the best philosophy charge ahead, don't slow down and see the damage that you have created. That happens a lot in government including washington, d.c., of course. What we need to do is stop, reflect, for sure not repeat what pbot did with the public with the division project. I will mention pbot has a record for concern for city of Portland anyway. If you look at the flounder's bridge flop -- total flop of \$8.9 million that's a nothing bridge. Now, we have a bridge of \$13.5 million. I can't tell anyone to tell us what good it is going to be of use connecting the states the stopping center in oregon with a high school. God knows what we're going to do with proceeding the way we are. Look at what happened at i-5 bridge and destroying the biggest mess on the coast. Ability to work with people on that is disgusting. So, what we need to do is stop, take note, take measures, and never exclude the public again and get rid of the arrogant attitude until we restructure and take notes and learn this project, this scope is wrong. It needs to stop now. It is not an emergency. The emergency if it starts now. That's the emergency. Not proceeding the way we have done. Thank you.

**Wheeler:** Thank you. Any other public testimony?

**Clerk:** Next up, we have fatimah.

**Wheeler:** Fatimah, welcome.

**Fatima Magamodova:** Hi. This is fatimah. Thank you so much, julia forgiving this layout what is happening on 82nd street. I feel like a deja vu, this is what happened

on 2016 when I was in the meeting at the division street. It started with the safety and crosswalks and the striping and everything else. Then, in 2019, it went underground and not aware of anything that was going to happen and then 1 day in february of 2022, I see a construction crew in the front of my store trying to build a median. Until now, it is not there because I am fighting every day it is not there. We have a group on facebook. It is a division street activist. This group is rising every day. You can go ahead and check on the group. Everyone writing how they're devastating on the impact with division. Every day we have accidents on division street. People are losing their businesses. Businesses moving out. Nobody wants to be on division at all. I'm worried on the safety of my kids with driving on the division street. I'm here to say, before going forward with the 82nd street and ruining it division, I want us to look back and see what we did wrong on division and fix not what we have done on division street and better outreach and then proceed with 82nd because right now we have a lot to work on division. We have to work with the businesses. Another thing that I want to point out. Big meeting with pbob safety manager was supposed to come. Over one hundred people came to the meeting and news channels and pbob didn't show up. It was an embarrassment. All of these people went and took days off, they got together, they stood on division street with the signs waiting for pbob manager. Said she was going to be there and never showed up. Let's learn from our mistakes and fix division street first, pay attention on what is happening on division and then go to 82nd street. Because this is going to be another disaster and I don't want my friends and business owners on 82nd go through the same thing that happened on division. I will be watching closely. Thank you.

**Wheeler:** All right. Thanks. Any public testimony?

**Clerk:** That completes testimony.

**Wheeler:** Emergency ordinance. Any further discussion? No. All right. Call the roll.

**Clerk:** Ryan.

**Ryan:** Thank you commissioner Hardesty and julia for making this happen on time and the intentional process. I'm excited for the plan to go through the infrastructure that it will not improve on 82 but those who live. The comment that -- I vote aye.

**Clerk:** Hardesty.

**Hardesty:** I want to thank forgetting us to the place where we start tackling 82nd avenue. Again, this just the beginning of absolutely necessary safety improvements that will make our modes of transit safer on 82nd avenue. Thank you so much julia and andrew. I'm happy to vote aye.

**Clerk:** Mapps.

**Mapps:** Mapps aye.

**Clerk:** Rubio.

**Rubio:** Thank you for bringing it forward. Thank you julia and pbot. Great work on this. This is going to change. This design contract has a solid minority contracting percentage and vital need and allow the city to construct the safety project in an expedite manner.

**Clerk:** Wheeler.

**Wheeler:** Happy to vote aye. Ordinance adopted. We will take 10-minute recess. (recess taken).

**Council recessed at 11:35 a.m. and reconvened at 11:46 a.m.**

**Wheeler:** Hi, everyone. We are back in session. We're recording. Keelan, read 535 and 536. First readings and non-emergency ordinance.

**Clerk:** (reading 535/536).

**Wheeler:** Commissioner Hardesty.

**Hardesty:** Thank you, mayor. Unusual and creative partnership with habitat for humanity. Not only delivery affordable housing but ensure new residents would

benefit from infrastructure improvements along with existing residents of this neighborhood. Designer of the [indiscernible] of the furniture improvements of the new habitat humanity for the larger neighborhood. Resulted in properly designed street that would work with new residents. Much of habitat improvements would have resulted in more expensive in this collaboration. This project is located in a neighborhood and pbot, paved not one but two streets and build sidewalks in a vulnerable community that has tripled the proportion of paved streets in the city as a whole. Pbot appreciates the partnership with the Portland water bureau and improve water and fire hydrant in the area, improve fire suppression in the area including to the adjacent school. Now, I will turnover to andrew to give us more information about this lid. Andrew.

**Andrew Aebi:** Thank you, very much commissioner Hardesty. I'm andrew. We have a short presentation to show you this morning. Keelan, if we can switch to the presentation. Thank you. We can go to slide two, please. Just to recap the project another aspect of the lid unusual. The lid paid less than a quarter of the total project. That's what enable the project to be unusually low-cost relative to an lid that didn't have the partnership for habitat for humanity. As commissioner Hardesty, we built connections. We built new sidewalk. Northeast 55th avenue used to be 2 dead end streets where they couldn't walk or bike and fire bureau couldn't get through the connection and didn't have loop water main system, by building the new street and the school participating in the lid, we are able to extend the water main and build new fire hydrant. Previously, the area was not in compliance with fire code. We often think of unpaved streets. The fire hydrants were 100 feet apart and it requires to be no more than 6 hundred from residents. We are happy to improve the infrastructure and the emergency response in the area. We formed the lid when they had a lot of delays for fire to respond to that and after that there was the hostage incident. There were clear needs more connectivity in the area and [indiscernible] suffers from a lack

of north/south streets. Before I move to the next street, there's a steep hill on 57th avenue. Existing house on the bottom of the hill that was getting the drainage from the top of the hill, they had to pump the water coming from the street and did not want habitat from humanity build the 50 new homes and have similar problems. This was a storm management project as well. Next slide. This is the picture of what northeast 57th avenue. This is what the connection looks like before the lid reform. We can go to the next slide. This is what the street looked like after we paved, put new streets, and planted street trees. Now, you can go to the final slide -- I'm sorry, second to the last slide. This is the picture of the humanity development as it was nearing completion of construction on the right. You can see the woman on the right side is the homeowners and she contributed to the equity of the new home. Pleased to build new quality infrastructure for the new residents. The next slide is the last slide. We're very pleased that we are going to be able to offer the first of two funded park way events which will take place on the neighborhood on June 26th. Pbot active and transportation and safety working with pbot delivery division. This year's northeast park way route was created with the intention of highlighting improvements in the neighborhood including the project. We hope that the event on June 26th bring community members to use the basis for everyday trips. As part of Sunday's event process, we have been with the association and other groups in the area. That concludes my presentation. Just to conclude my remarks, one objection for final assessment included in the final assessment ordinance. The final ordinance includes the objective I have to overrule the objective. I am happy to answer questions that council might have.

**Wheeler:** Council, any questions. Commissioner Mapps, do you? Any public testimony?

**Clerk:** Two people signed up.

**Wheeler:** Let's hear them.

**Clerk:** First up, samuel.

**Wheeler:** Hi, samuel. Thank you for your patience. I apologize that you have been sitting through the meeting.

**Samuel Walker:** It is important issue for my parents. I'm sam walker. I'm here to testify on behalf on aging parents who live on amor son street which andrew showed as impacted properties in the lid. I want to acknowledge each of your individual service to the city of Portland. This has been crazy couple of years. Done a remarkable job. Despite what I am going to say, I appreciate what you do for the city of Portland and the Portlanders at-large. Many of you were not here when we originally testified at city council. The letter that my father wrote, dave letter is my father. It shows the history. We refer to the property owners as impacted or burden property owners. Briefly, I hope you had a chance to review the letter. Shared the history of the lid. I was homeowner at the time and signed petition and connected with the members of the community. We knocked on doors. All of the neighbors, were not in favor of the lid. We removed the petition and we submitted to overturn the lid. The city was not to proceed with the lid. The city, within 2 months, rewrote the lid and remove the owners to dilute the power of the citizens. I have sat in the chair and testified the city was in violation. The city proceeded. We. The city then voted no to proceed with the new lid. Within couple of months, the city proceeded in violation of city charter, all in the letter. The city added the trinity lutheran church is enormous property and added small sliver of road improvements and extended not only from 57 to 55th. There was no way for property owners to overcome. We gave at that time, and we started to meet with the city engineers in partnership. Primarily, we wanted to reduce the cost to owners. Getting to the cost of owners, my parents are aging, and my father is retired on fix income, and you are saddle with \$43,000 in debt. I can describe for on that. I signed up in the testimony in the next item unless you want me to proceed there.

**Wheeler:** Go ahead. You sat here for 3 hours.

**S. Walker:** Thank you. I wanted you to be aware of the history. Predecessors were here and you were not. It was unusual and we were surprised. The association of neighbors testified in favor of the lid. Letter that indicates this. My parents who live in the house now, they're currently caring -- my father is retired. My mother is clergy and works for providence Portland hospital. They care for my retired uncle. My parents received no compensation for caring for my uncle. They moved to Portland 23 years ago. 12 years ago they bought the first home which is the impacted home we're talking about. Nobody in Portland that I know has given more to their community than my parents. My mother, again, gives her life to her work which is clergy. My father volunteered for the clinic. My father every 2 weeks without fail donates platelets for the american red cross. Sits on the chair for 3 hours and donates platelets. He volunteers for his church. He delivers food. He works with the churches to help elderly people move. This afternoon he's going to a woman's house who has rain damage to help her. The house in question, the parents bought the house in building community. It is a large property. A few years, the asian pacific american held an organization there, the Portland fruit tree project, nonprofit in oregon that distributes food from trees in the city to people in need, held for years. Annual fundraising banquet at my parents' home. They have given at the city of Portland, and it feels wrong that you will saddle them with \$43,000 in debt when my father is in saddle income and my mother is retired. I'm going to forget if I don't mention now. My wife asked me to say, she couldn't be here today. Please ask, this concept of lid, it is a beautiful concept was intended to saddle homeowners with tens of thousands of dollars in debt. Give consideration before you approve the consideration on my parents' home.

**Hardesty:** I appreciate your passion under which you are speaking here today. I'm curious, the way the lid's work, if your parents sold the property. I expect the property

is a big difference on what they purchased for and what they can sell it for, if they wanted to today, right? You would agree with that, right?

**S. Walker:** Absolutely, right.

**Hardesty:** If they would sell the property, that's what the lid would be repaid back, right?

**S. Walker:** That's correct. My parents have no intention to sell his home. You will see he's in great health. He bought an electric homeowner. He happens to be financing to continue to take care of their property. They have no intention of selling the property. I may end up in the property.

**Hardesty:** If not planning to sell the property, the \$43,000 is not due now. Today you have sidewalks and crossings that never existed there before. It is now in a safer neighborhood. It is now more appealing neighborhood. If parents are not going to sell, the debt is not due. If you inherit the property and you sell, the debt will be due, right. I understand how it feels. It feels like government is doing something. I find this the most equitable way to create street improvements that we all benefit from without having to have \$43,000 right now in your hand so you have a better sidewalks and street improvements and in quality of life, right.

**S. Walker:** Yes. There will be 3.7% interest rate applied to the \$43,000 which will increase the. The interest applied to the debt. They don't want to be saddle with interest. They want to retire without having to pay for the city's infrastructure improvements.

**Wheeler:** Andrew, anything to provide clarity on this? First of all, thank you for your testimony. You are raising important questions. I really want to understand a little better how this works. Could be elaborate?

**Aebi:** Thank you, mayor. Yes, I would be happy to elaborate on that. I appreciate commissioner Hardesty's remarks. There were errors in parents who live walker's testimony. The exhibit ef which you have a copy of. We did petition the property

owners in the neighborhood under the original lid petition. One of the concerns if we improve 57 and I will get to the financial question in a minute. It is important for council to understand the context. Some of the feedback that we heard what the lack of north/south connections improved. If we improve, all of the traffic go to 57. I got funding to improve 55 and we thought it was a thoughtful approve of dispersing the traffic. When we went back, no one charged for than charged over the original lid proposal. There are two things that we're offering to property owners in the lid. One is the 20-year financing. Commissioner Hardesty pointed out, not asking anybody to write \$43,000 check. We are offering a 5-year deferral so the walker's or any property owners want to take advantage of that deferral I'm happy to work with them. In closing, the walker's, it is in the top 1.2%. It is enormous lot and cost a lot of money to build infrastructure that is longer than Portland city block. The ultimate outcome, they want the improvement to be delivered at no cost, that's an outcome that we can't support. Happy to answer any further questions that council might have.

**S. Walker:** May I provide a brief comment.

**Wheeler:** Brief, thank you.

**S. Walker:** Yes, it is a large lot. My family's home. The home was built in 1900. It is beautiful. They're maintaining the home. My father has a large garden. Garden. He gives chicken eggs to the neighborhoods. Yes, it is a large property. They're caring for my aging uncle on beautiful property. They shouldn't be saddle for \$43,000 on debt on something that they didn't want and a process to petition against. They never wanted the street improved.

**Wheeler:** Thank you, I appreciate it. Your father is testifying next.

**Clerk:** Yes. Next up we have dale walker.

**Wheeler:** Thank you, for your patient as well. You have been sitting there for 3 hours.

**Dale Walker:** Thank you. I appreciate you mayor wheeler and the commissioners for allowing me to address.

**Wheeler:** Thank you.

**D. Walker:** Mr. Abby, we have worked for many years and at times I find them to be shady but that's just my impression. The point he made about expanding the project to 55th that was to diminish our power as a group for the initial lid to demonstrate against the proposal. We would have been successful to fight this. I want to make one statement about in the ordinance in item 15, section 1, the total cost of the project and line about such and such with 50% on lid formation. In 2018, when lid was formulated or formed, the proposed cost was 43 in chain. That hasn't changed a bit. The 43 they estimated back then was fixed and whatever. We'll pay what we need to pay for this. We are requesting that you give some consideration to making some adjustment. We did not approve the project and we did not consent for it and objected basically through the whole process. One contention that I had through the design of this remember this house was built in 1900 and the garage is the same age structure. We access the garage off of 57th. They come in to do this improvement and I asked for access cut in the curving to allow me to access my garage. The answer was well you have access to your property on a driveway off of emerson. No, you would not qualify for that. Okay. I can't do anything about that. Suggestion if I pay \$15,000 to prep the area before they prep the curve in, my neighborhood, had no problem to get two curve cuts for two driveways. I was amazed on the flexibility of the city when they have to. The other thing that I want you all to know when they decided to go with double curve and double sidewalk. You saw the picture. They could have gone as they did on 55th to single sidewalk and single curve and left at that. I just want you to know I'm very happy to take care of the city's grass property on 57th. I will cut and trim for you no extra charge. That's all I have to change. Appreciate your time.

**Wheeler:** Thank you. Appreciate it. Colleagues, any further questions.

**Hardesty:** I have a question for Andrew. Andrew, can you tell me what the percentage of property owners in the area that approve the lid? Is this normal?

**Aebi:** Thank you, Commissioner. That's a very good question. Here is what was unusual about this the original lid on my mind. When we petition the lid, we did the effort at the request of the property owners in the neighborhood. I did not cold call the folks and say how would you like the streets improve. We had all, but one property owner sign the petition in favor of the lid. Just importantly, we did work with habitat with humanity. So we were on the track of being collaborative. Again, one but one property owner signed for the original lid. We formed a new lid with 55th added. The walkers were the only property owners. We proceeded in good faith that nobody else in the lid was objecting. The walkers signed the petition for \$43,000. I made assumption if someone signs lid petition they're representing to me ability and intent to pay the application obligation. I want to share with you. We're not looking for them to write a check for \$43,000.

**Hardesty:** Thank you, Andrew. That's Walker.

**Wheeler:** One more question that signed up.

**Aebi:** We read the items together. It is a combined presentation.

**Wheeler:** You have the comments in, correct?

**S. Walker:** I did. Andrew is suggesting that we support through petition. We revoked our petition.

**Wheeler:** We understand. We got it. Okay. We're not going to resolve it today. 535 is first reading. It moves to second. 536 similarly. I look forward to reading the letter. Thank you for coming in-person. Good to see you here. 537, emergency ordinance.

**Clerk:** (reading 537).

**Wheeler:** Commissioner Hardesty.

**Hardesty:** This amended aig is important to close out the transit project on southeast division into the central city. The new ethics line. It is my understanding that commissioner mapps voted witness stand me this present and hearing on this project. Tri med is here today to answer any questions and urge council's approval of the amendment of aig, so project completed this summer. Is jamie here from tri med?

**Caitlin Reff:** I'm happy to introduce who we have on. Hello, mayor and city council. I'm kaitlyn. Commissioner Hardesty mentioned what the amendment is for. Quick moment to remind council there are concurrent transportation projects on the southeast division corridor that are in partnership with the city and tri med. The division street is ray corridor prioritize the as part of the division zero plan. The division transit project when opens it will be the affected line. Many of the scope elements incorporated into the transit project have been incorporated into the project. The coordination to ensure there's consistency safety and access to the improvements on the corridor. Today, I'm joined by liz. Project manager for the multimodal safety project and affairs manager, carol, and director jamie. We're happy to answer questions that you have.

**Wheeler:** Colleagues, questions? Commissioner mapps

**Mapps:** I don't have any questions at the time. I do appreciate the fact that these guests here. When it came to us, 2 weeks, there was public testimony which we weren't really prepared to engage with. I comfortable going forward today.

**Wheeler:** Commissioner ryan.

**Ryan:** I do too. I appreciate tri med is here when we have an agreement. Make sure they're at the table there as well.

**Wheeler:** Thank you. Any public testimony for this item?

**Clerk:** Two people signed up.

**Wheeler:** Very good.

**Clerk:** First up, robert butler.

**Magomadova:** Hi. I was not sure if it was me. I will start since I am here, and we are sharing. If that's okay with you. I appreciate you and mr. Mayor and commissioners for dedicating your time to listen to my concerns and cry out for help. I want to make sure it is clear from my previous testimony, that division street project has not stopped in the front of my street. I do not see pbot willing to do anything different than what they want to. I want to make sure city council that p-body and tri med have a city problem. We need to address the concerns by extending the median beyond the original project. This includes eliminating the medians, the safe section of division. We need to eliminate the battling and we need new measures to prevent public input. I want to dedicate my time to robert. I know he has more to say than I do. I have emotions and he has vocabulary. Thank you very much.

**Wheeler:** Thank you.

**Clerk:** Next up is robert butler.

**Wheeler:** The chair is yours, sir.

**Butler:** I know I'm not entertaining. Yes, it is interesting to see tri med up here because I tried for months to make contact with tri med. I talked to the community affairs -- no, I didn't talk to anybody. I tried to community affairs people and insight people who gave me with the right people and refused to meet with me. And even when I signed up for the tri med board meeting, they refused to respond. It is nice to know -- not nice to know any of this, actually. It is a shame what has tri med has done and doing. I intend to make a difference. Our progress, so far, has been nothing. The project is ongoing. I don't see any members of the council that are interested in helping or making sure help occurs for that matter. We will continue. We haven't, by the way, contacted the feds for our concerns about -- maybe call it crt contrary to what commissioner Hardesty said that the feds reviewed the concerns and denied them. We never contacted them. I laugh at we haven't intended to do that. We haven't contacted the governor's office about the tri med nor the legislator. It is a

serious matter and not going to be forgotten. We have sent the record to oda. They have our report. I don't know if they're going to do anything with it. Oda has some things on their sleeve that they better be careful about. We continue to invite, with open hand, pbot willingness look at our design change and give it to their engineers and transparently explain why this change is too expensive, bad for the rest of the community or anything, but they won't. That is a sad for the citizens of Portland when a bureau or bureaucracy, should call it maybe, bureaucracy refuses to work with public. That absolutely needs to change, and the attitude needs to change. Thank you.

**Wheeler:** Thank you for your testimony. Is there any further public testimony?

**Clerk:** That completes testimony.

**Wheeler:** Emergency ordinance. Any further questions? Call the roll.

**Clerk:** Ryan.

**Ryan:** Aye.

**Clerk:** Hardesty.

**Hardesty:** Aye.

**Clerk:** Mapps.

**Mapps:** Aye.

**Clerk:** Rubio.

**Rubio:** Aye.

**Clerk:** Wheeler.

**Wheeler:** The ordinance is adopted.

**Clerk:** (reading item 538).

**Wheeler:** Further discussion? Seeing none. Call the roll. [roll call vote].

**Wheeler:** The ordinance adopted. That completes the business for the morning. Is that correct?

**Clerk:** It does, mayor.

**Wheeler:** Colleagues, just a reminder that we will be convening this afternoon at 2: 45 p.m. Not the usual 2: 00 p.m. We withdrew something from the agenda. The first item comes at 2: 45 p.m. You have some extra time back. See you then. We are adjourned.

**At 12:23 p.m., 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.

Key: \*\*\*\*\* means unidentified speaker.

June 15, 2022

2:45 p.m.

**Wheeler:** everyone, this is the wednesday june 15th, afternoon session of the Portland city council.

**Clerk:** [roll call]

**Wheeler:** We'll now hear the rules.

**Naomi Sheffield:** If you wish to testify in before council or virtually, you must sign up in advance at [www.Portland.gov/council/agenda](http://www.Portland.gov/council/agenda). You may sign up for communications to briefly speak about any subject. Reports are the first readings of ordinances. In-person testimony may occur from one of several locations and the Portland building. Written testimony may be submitted at [cctestimony@Portlandoregon.com](mailto:cctestimony@Portlandoregon.com). Your address is not necessary. Please disclose if you are a lobbyist. If you are representing an organization, please identify it. The presiding officer preserves order and decorum so everyone can feel safe, comfortable, welcome, and respected. The presiding officer determines the length of testimony. A timer will indicate when your time is done. Disruptive conduct such as shouting, refusing to conclude your testimony when your time is up or disrupting others testimony or council deliberations will not be allowed. If there are disruption, a warning will be given that further disruption may result in a

person being ejected for the remainder of the meeting. Additionally council may take a short recess and reconvene virtually.

**Wheeler:** Thanks. Could you please read items 539 and 540 together please.

**Clerk:** Adopt the supplemental budget for the fy2021-2020 over-expenditure process and make budget as justments in various found. 540, authorize temporary operating loans between various funds to provide interim funding to cover.

**Wheeler:** And we're reading these together, but we'll be taking separate testimony. We have the overexpenditure ordinance formally known as the o.e.o. The budget monitoring process of the fiscal year. It's narrowly focused on overexpenditure of the bill fund appropriation level is usual but there's also a companion ordinance which authorizes a temporary loan at the end of the fiscal year. This afternoon, jennifer kinard will walk us through the city ordinance. We'll then take public testimony and vote on the o.e.o. Vote. I'll now turn this over to director kinard.

**Jessica Kinard:** Good afternoon. Thank you, mayor. Good afternoon members of the council. My name is jessica kinard. I'm joined here in council chambers with our budget monitoring coordinating members. We have two items. The overexpenditure ordinance or o.e.o. Which includes a number of technical measurements to ensure that their expenses do not exceed current budgeted appropriations. This is followed by loan ordinance that matt gearick will be joining us remotely. I'll now briefly highlight some of the changes that are contained in the overexpenditure ordinance. Please feel free to ask questions at any time. In total, are the o.e.o. Increases the city's current appropriations by \$17.6 million. There are a couple of changes within the general fund that i'll highlight. There's one request for new general fund resources. \$32,500 is being allocated to cover anticipated vacation pay-out cost. Although the office may be able to absorb the unforeseen cost, the office has a small budget and in order to ensure we don't overexpend the full budget, the sources are being allocated and this is custom marry practice when we have folks leave small offices at the end of the year. Any unspent

resources will follow the balance and become available for reproerpgs in the fall. There's also a \$100,000 transfer from the office of management and finance community service division to the Portland and fire rescue bureau. To back fill fire and rescue personal services cost for two positions, two pfnr members who are temporarily supporting the street coordination center. There's also one drawn funds that council set aside. You'll recall in spring bump the council an issue relating to ground water which is a city facility. The conversation involved several bureaus including bureau of environmental services, the budget office and the attorney's office. Following council's conversation, the council voted to put \$748,964 in general fund resources to pay for the mitigation work into a policy set aside and discuss a desire to see there be consensus on the solution and for further discussion among city staff on the appropriate way to pay for the unneeded mitigation work. Since that time, staff have further discussed the issue. There was consensus amongst bureaus on the work that needed to be done as well as the need to move forward quickly to protect against potential more costly damaged providence park. The most appropriate source would be the general funds set aside that council set aside with the acknowledgement that the attorney's office and the budget office will work to develop a policy to ensure that in the future, bureaus are empowered and incentiveized to solve for cost liabilities that will equally and appropriately burden all and not source the general fund. City attorney's office and the budget office intend to develop this over the summer and will bring it back to you in the fall. Due to the agreement amongst the bureaus in the urgency against the association or to protect against ground water, spectator venues program just went ahead and contracted for the mitigation work to be done using budgeted one-time resources from the specktor of visitors. So the action you take today will replenish these resources in that fund. If funding is not approved and the event and tourism industry remain slow, the funds reserve risk not being sufficient to meet obligations including covering debt services and costs and bonds backed by the city's general fund. So this includes what has been

filed and what you'll be voting on today. If you have questions, we have our spectators venues tuned in and able to answer specific questions if you have them. If not, i will move on to non-general fund items. Hearing none.

**Wheeler:** No questions.

**Kinard:** Great. Outside of the general fund, there are a handful of technical changes and cheer ups recognizing grant funding and adjusting budgets to reflect anticipated year-end spending. The largest adjustment is budgeting \$8 million in community development block grant known as cdbg funding for the anaman project within the housing bureau. Portland bureau of transportation is appropriating grant revenues for several projects and then there are a handful of other technical changes that are detailed in the exhibits that have been provided with the filing. I will now turn it over. Unless there are any questions or if anyone would like to know more about what is in the ordinance. Okay. I will now turn it over to matt gearek to walk through the companion loan ordinance.

**Matthew Gierach:** Good afternoon mayor wheeler and commissioners. As mentioned, [ indiscernible ] as normal course of business, the city of Portland receives a variety of grants and the federal government, the state of oregon and other third parties. The money received in associated expenditures funded with these grants are reported within the city's grants funds. Nearly all the city's finance revenues are received on a reimbursement basis meaning that the city is required to incur the expenses prior to the receipt of revenues from the third party grantors. Additionally, under the city's modified basis of accounting, the city is not allowed to accrue or recognize the anticipated grant immediately at the time of the expenditure. This structural revenues and expenditures periodically creates balances within the [ indiscernible ] . To address this, the city annually funds the temporary loans to the grant funds at fiscal year end paid shortly thereafter beginning at the following of the fiscal year. Up to \$50 million or by \$25 million, the transportation operating fund and \$25 million from the parks system and

development charge fund to provide funding for the fund balance gap. The \$50 million loan is anticipated that the actual requirement will not utilize the entire loan. And the final amount will be known as the year end accounting process is completed. The repayment on the loan is scheduled to occur fiscal year 2023 and no later than october 1st. Excuse me. That concludes the review of the general fund report. Now, i will hand it back over to the mayor. Thank you.

**Wheeler:** Thank you. We will now entertain any amendments to specifically the overexpenditure ordinance. So that's item 539. If there are any amendments, they need to be moved and seconded for consideration and we'll hold public testimony before discussing and voting on the amendments. Are there any amendments to the o.e.o.? Not seeing anyone. Keelin, has anybody signed up to testify on item 539, the o.e.o.

**Clerk:** One individual signed up.

**Wheeler:** Force of habit. Let's go ahead and hear that individual. Three minutes for the record.

**Clerk:** Brandon farly. It doesn't look like they're here.

**Wheeler:** Very good. Any further discussion on item 539, the o.e.o.? Please call the roll.

**Clerk:** [roll call].

**Wheeler:** The over-expenditure ordinance has been passed. Megan, is anybody signed up to testify on 540?

**Clerk:** No one's signed up.

**Wheeler:** Very good. Colleagues, are there any questions on the loan ordinance? Seeing none. Megan, please call the roll.

**Clerk:** [roll call] the ordinance is adopted. And, colleagues, we have one more item on the agenda. Thank you to matt and to jessica, thanks for your great work on this. It never gives the attention it deserves, but these two ordinances allow us to operate. So we will be in recess so we will be in recess until 3: 30 p.m. [please stand by].

**Council recessed at 2:58 p.m. and reconvened at 3:30 p.m.**

**Wheeler:** Megan, can you please read item 541 time certain 3: 30. Approved the mt hood 2022-23 budget.

**Wheeler:** This is an emergency ordinance. I'll turn this over to commissioner rubio and since you're in the room, i'll pass the gavel as well since it's the last item on the agenda.

**Rubio:** Yes. Thank you. Okay, we are here from the representatives of the mount -- did you read it already? We are here welcoming representatives from the mount hood cable regulatory to present the fiscal year 22-23 fund budget for consideration. The city's allocation from the mhcr operations budget is \$334,396 and the amount is included in the fiscal year 22-23 special appropriations. And we have three Portland appointees to the commission. Rebecca gibbons is also here. I'd like to begin the presentation.

**Scott Hardin:** Good afternoon mayor and commissioners. My name's scott harden, i'm the mayor of wood village and i am our city's mhcr representative and today i'm going in for richard roach. We're here to seek your approval for the 2022-2023 fiscal budget and to highlight pulling together crc's productivity for the coming year. The meeting you have and our annual report. The commission is a radio commission representing the cities of Portland, troutdale, wood village and multinomah county. This year, we celebrate 30 years of service, we form 1992 to provide oversight, enforcement and public benefit responsibilities under the franchise. Over the years, the crc has established ever changing technology and community names for local authority or public rights of way and compensation by the cable companies. A consumer watch dog and local solutions for addressing local representation in media and digital equity issues. Currently, the mhcr oversees two jurisdictions. Comcast, ziplly fiber, formerly frontier which serves the residents of troutdale, gresham and wood village. To fund a portion of the crc's operating expenses. These funds are all full-time staff housed at the city of Portland's office for community technology and they're taxed with conducting cable

franchise agreement compliance, customer complaints, overseeing the commission meetings and finances and implementing public benefit programs that support technology uses in schools, community nonprofits, and our two community media centers, metro east community media center in Gresham and Open Signal in Portland. And also supports limited professional services for fees and participation in actual organizations. Now, I'll turn it over to Commissioner Julia DeGraw for her part of the presentation.

**Julia DeGraw:** Thank you, Scott. And good afternoon Mayor and Commissioners. My name is Julia DeGraw and I was appointed to the commission in April, so I'm new to this work. The MHCRC proposed FY 2022-23 fund budget is on page five of the budget document and for all jurisdictions combined, FY 20-2021 decreased about 20% from the previous fiscal year. Currently the MHCRC forecast on the first three quarters of fiscal year 2021-2022 revenues. A steep drop-off is still being counteracted by the cable providers. So a steady decline is likely for the foreseeable future. Each jurisdiction funds a portion of the MHCRC operation based on the suspected subscriber accounts. Portland has a unique role as it funds to the MHCRC through the annual appropriation process. Portland's allocation to fund the MHCRC operating budget for FY 2022-2023 is \$324,396. The annual budget allocation from all the jurisdictions collectively funds about 37% of the MHCRC total operating budget. The remaining portion of the budget is funded by other resources mostly to administer community technology grants and services provided by Open Signal and Metro East Community and Media. On the expenditure side, compared to the previous year, the proposed MHCRC operating budget is \$184,364. Increased professional and legal services fees to get us through the final stages of franchise negotiations with Comcast. With that, I send it back to Scott.

**Hardin:** Thank you, Commissioner DeGraw. A little bit more about the work about the work the commission has ahead of us. The commission has been established with Comcast since December of 2020 and while the contract expired in December 2021, the

existing terms remain in place while negotiations continue. Sticking points in the Comcast renewal include the amount of public education and government or pay fees currently the franchise supports 3% of gross revenue that helps to fund Metro East community media and open signal and provides community technology grants. And the continuation of the institutional network or i-net. The Comcast wide area network supports internet connectivity at public agencies, schools and libraries and city and county offices. And, public safety are transitioning all for the Comcast network through a number of services which is more a future group and this transition is a sticking point. The cable franchise for these services is critical and identified such as our schools and libraries and residents. The MHCRC in support of technology related grants in the community. You may fear grants with no -- school districts, the Northeast Steam coalition, East Metro Arts, Community, and Culture, and the National Alliance for Filipino concerns just to name a few. In fiscal year 21-22, the MHCRC is anticipating grant awards that will leverage over \$1.1 million in matching resources in our community. A couple of examples of newly awarded grant projects for the fiscal year include the nonprofit community to create and disseminate informational videos about access to health care, healthy aging and overall wellness for seniors throughout the county and a nonprofit called Wild Diversity to create many highlighting experiences and stories of BIPOC and the LGBTQ+ leaders and mentors engaging BIPOC youth during hands on experiences and natural learning services. Work for the coming year is to engage in each of the jurisdictions and strategic planning to review the commission's role and structure in response to changing policy and technology. Broad band deployment and digital inclusions that was conducted as part of the franchise renewal. A conclusion, we'd like to thank your cooperation for the county wide partnership for the past 30 years with the support the MHCRC successful community members and public agencies, the resources and regulatory authority to amplify benefits for all. We're excited to work with you and your staff and our communities to explore and discover how to leverage and learn and

to adapt to the evolving needs of the community. We thank you for your time today. As always, feel free to contact any one of the mhcrf staff with questions and concerns and we respectfully request the council approve the mhcrf fiscal year 22-23 fund budget.

Thank you.

**Rubio:** Thank you, mayor harden and julia for that great presentation and for being here today. And so, i'd like to invite my colleagues to see if there are any questions for the commissioners or rebecca gibbons who's here to answer anything. Commissioner mapps and then commissioner hardesty.

**Mapps:** Thank you. I think this question is for staff. I just had some in the weeds questions that jumped out at me as i was looking over this documentation. And i think the area that i'm most curious about are the grant programs. How do we determine how much money goes into those grant programs and how successful have we been about getting those dollars out the door?

**Rebecca Gibbons:** Sure. So the commission currently has two granting initiatives. There's the tech smart initiative for student success which is aligned with the all hands raised initiative student indicators. The commission is no longer funding under that. Right now we're just in our final year of wrap-up. The commission allocated and granted out into the community over \$16 million to each of the school districts and strategically work with them around technology deployment into the schools based on their needs and the learning needs of their students. Some focused on 1st through 8th grade. Some focused on math attainment all with the goal of high school graduation rates. So that initiative is currently wrapping up and it was a pivotal initiative. We were doing valuation work right now and we'll have a final impact report later this year but we do know so far in those conversations with the schools that were funded through the commission's work will better position to address the covid shutdown and their students were better positioned than those that did not have that involvement, so that was really great. On our funding side, on the other side, we have our community technology programs. It's

an annual competitive grant program. It is restricted on federal law on how those funds can be used. They're capital dollars that have to promote the use of the cable system which requires right now the grants produce videos carried on open signal and metro east channels. So the funding opens in october with the pre-application and the reviews the commission reviews those to meet the cable requirements under federal law. And then, those grants that move forward through final applications through the spring and then projects generally launch in the june time frame.

**Mapps:** Thank you, very much. That's helpful. One other question and this actually goes back to some tables that are in your budget documents, so i think i'm looking at exhibit a and it would help probably ms. Gibbons if you can pull this up for me. Under exhibit a, there's the row on beginning fund balances. So i'm trying to -- can you give me the intuitive understanding of what the proposed especially the unspent funds for the community technology grant, the unspent grants for the textbook grant and in particular what jumps out is the unallocated balance of \$5.2 million.

**Gibbons:** So those are again the peg funds that the commission brings in through the cable franchises and we do have carry-over balances and a couple reasons for that, the commission generally allocates out the majority of those funds on an annual basis. Over the last few years, we have carried over a few balances. The commission took an approach to be a little more conservative and spending those found during the covid pandemic because of all the shutdowns we're having and the accountability of those funds for organizations that would end up having to close their doors. So the commission did carry over a bit of a balance. Also just before the covid pandemic, federal law changed and we were no longer able to use the peg funds to fund i-net related grant initiatives which was the funding for our tech smart initiative. We had an additional \$3 million or \$4 million i think we were expected to expend about \$19 million in total and we had to cap that at just over \$16 million based on that federal law change. So we've carried over a little bit of a balance as we're coming out of the covid

pandemic, the commission is eager to repurpose those funds back out into the community and start building up those initiatives again.

**Mapps:** Do those dollars stay in the grants program or could they migrate in your budget?

**Gibbons:** They cannot. They're restricted dollars under federal law.

**Mapps:** Thank you. That's very helpful.

**Rubio:** Commissioner Hardesty.

**Hardesty:** Thank you, madam president, and thank you for the very informative presentation. I think I'll start with our newest commissioner, commissioner Degraw. Thank you for being here today. I think I want to start off how appreciative I have been of open signal especially at the beginning and throughout the pandemic. Having the community media outlet that was committed to making sure a community voice was included was absolutely vital in those early days and so let me just start off by saying how grateful and appreciative I have been of having just the access to the kind of services that open signal provides and so kudos to all you commissioners. We would not have been as successful the last couple of years without that real technical support that allowed us to conduct the city's business in an open and transparent way. So thank you for that. I was struck by the fact that negotiations with Time Warner and I'm wondering if we're talking about how the industry -- how the industry could support the ever widening digital divide and what's the responsibility and obligation? One of the things exposed during the pandemic was that if you were not connected electronically, the ability to get your needs met were very greatly reduced and so it became more apparent to a lot of us, the need for all community members and all income levels to have access to the internet. So I guess my question, commissioner Degraw, is I hope this is part of the conversations as we're in renegotiations or the franchise agreement. And I don't know if Rebecca or commissioner Degraw are the appropriate people to answer.

**Gibbons:** Yes, thank you, commissioner hardesty. Great question. Under the cable franchise, so the commission is tasked with doing the cable franchise with comcast and we are restricted under that to address just their cable television product under the franchising authority. The fact that they also provide broad band internet service is unregulated and we don't have a lot of say in that. That being said, it comes into the conversation about how they're deploying in the community, its impact on broad band access and digital access and we try to bring those into those conversations whenever and wherever we can as a trade-off. Right now, some of the sticking points on the franchise removal are specific to the cable franchise and the cable services and things like gross revenues and institutional network. But i can say that the commission has been wonderfully aggressive and how it approaches those negotiations because of the shift in technology that these companies are no longer just cable television providers, they are also broad band providers.

**Hardesty:** I would also say a line in first responders and emergency incidents. Right. Because, again, without access, many community members would never have received the community services that were desperately needed during that time. I guess, another thing i want to ask about franchise agreements and, you know, i'm old enough to remember the good old days where there was like equal access on cable programming and a lot more free community options. Maybe it's just i'm really old and i remember the good old days of what the community got for franchise agreements. If you could say in a couple of sentences or less, what does the community get when we give up our when we assign these franchise agreements? What is the public interest that's being met by this franchise agreement?

**Gibbons:** Yeah. There's quite a bit which is a nice exchange for the company's use of the public right of way for their for profit services. We're able to negotiate things like customer service standards. So cable subscribers are able to call our phone number is on their bill. They can call us, we can help navigate and facilitate resolution of billing

issues, access issues. It designates access providers. So we do have open signal on the line as well from metro east and we have four designated access providers in addition to open signal and metro east. It establishes those organizations as having public access channels available to the community to ensure public voice is being provided in the community. Open journalism, access to technology and training. Those centers provide a lot of hands on ability for folks to pick up a camera, but also do other things beyond just video production around digital access and education especially when it comes to workforce development areas which is a lot of the work that open signal is doing these days. We also have the public benefits for a long time for about 20 years, the cable franchises have supported the institutional network for all of the school's public agencies, libraries and fire stations, that's how they've gotten their connectivity. As commissioner Hardesty said, we are transitioning off that network and eager to put in place a transitioning as part of the franchise renewal. You may recall that through the city bts department, the city engaged with wave broad band to build out the network going forward because it provides a dark fiber, much more future proof network going forward. So that's where we're transitioning those sites and then the community grants program. Without that funding, you wouldn't have nonprofit organizations and schools getting access and professional training on video production equipment which is an essential service these days, that's how people are communicating through video.

**Hardesty:** My last question has to do with -- so we allow utilities, we give them a permit to use the public right away to do something on the public right away that actually allows for the service to be provided into peoples homes, businesses, and schools, but what we haven't done in the past is actually held the utilities accountable for the maintenance and upkeep of those public right of way areas and i am hopeful that is part of the negotiations today because when we allow someone to just use the public right of way and they only pay a permit once, it has been left to the public to do the ongoing maintenance and upkeep and so i hope we have an opportunity to have a deeper

conversation around what the impact is of those contracts that you are now negotiating.  
Thank you.

**Rubio:** Commissioner mapps.

**Mapps:** Just a quick question for rebecca. Rebecca, could you -- do you know how many subscribers are in Portland? I noticed in your document, you provide us with that information for east county and it looks like there are 24,000 subscribers in east county, but i'm not seeing the place in the document that talks about how many subscribers are in Portland proper. Do you have that handy?

**Gibbons:** I think it's about 140,000, 160,000.

**Mapps:** Great thank you. That's it.

**Rubio:** Great. Okay. Is there any testimony?

**Clerk:** No one signed up.

**Rubio:** No. Any further council discussion then from my colleagues? Okay. If there's no further discussion, would you please call the roll.

**Clerk:** [roll call].

**Ryan:** Yeah. Thank you for your service, thank you for this presentation. I also want to say thank you, rebecca about how you're always so engaged with the schools. I vote aye.

**Clerk:** Commissioner hardesty.

**Hardesty:** Yes. I'm going to thank all the commissioners who volunteered their time for this important work. I want to thank you, rebecca. Clearly, you have a handle on where we are and where we need to go and any support me or my office can provide, i just want you to know you have it and commissioner degraw it was a pleasure to see you in this role, i was pleased to be able to photovoet you in as our newest commissioner representing the city of Portland and what i know about you is you will dig your teeth into this with gusto and you are an excellent addition. So i'm very happy to vote aye on this ordinance.

**Clerk:** Mapps.

**Mapps:** I'll echo my colleagues in appreciating commissioner degraaf. And I want to thank all the commissioners for appearing before us today and congratulate you on a budget that looks quite sound and in particular, I also want to recognize Rebecca for being available to answer our questions today. A great presentation. I vote aye.

**Clerk:** Rubio.

**Rubio:** The Mount Hood cable regulation is a great example of a long-standing inter-governmental partnership among all the jurisdictions and so I just want to thank Mayor Harden and Commissioner degraaf not only for this presentation but also for their great service on behalf of their communities. We appreciate all the commissioners' roles in volunteering their valuable time to represent their jurisdictions and also the important work of the commission as well as O.C.T. And Rebecca. Thank you for your services as well. I'm happy to vote aye.

**Clerk:** Wheeler.

**Wheeler:** First of all, I'm sorry I couldn't join those of you in the room this afternoon. It's sort of lonely being out here in digital land, but it's very appropriate for this particular discussion. I want to thank all the commissioners. This is a very complex and rapidly changing environment in which you serve and I want to thank you for the conversation that happened today particularly around digital equity issues. We as a council early on supported resources going towards digital equity because we could see that kids would not be available to participate in their schools if they did not have access to digital platforms. We certainly saw the adults increasingly were reliant upon digital platforms to participate in their employment opportunities and the entire network of the Mount Hood regulatory commission operates with these kinds of changes and thoughts in mind. I also appreciate the commissioners raising the question of franchise fees. This is a very complicated and meaty issue and it's one of significant importance to the city of Portland. Franchise fees represent our third largest source of revenues. The tables are often somewhat imbalanced. We have really outstanding public

employees who are experts in the question of franchise fees and what the appropriate way to negotiate those are, but the reality is that we are working with organizations whose very core is being able to be very smart and relentless in their efforts to keep our franchise fees at a minimum. And so i want to thank you for the technical advice that we get from you as well. And last but not least, just thanks to everybody including open signal for being able to duck and weave under technical chances testifying for literally anybody in the world and testify from the council chambers and have this hybrid model is really required a tremendous amount of things and i want to thank everybody who helped with that. The bottom line is the work that you do is important and by the day gets even more so. I appreciated this report. I found it interesting, i found it jermaine. I want to thank you all for your service. Commissioner rubio, thank you for bringing this forward. I vote aye.

**Rubio:** Great. So the motion passes. So thank you everyone. Thank you everyone for the presentation today and i think that concludes our agenda for this afternoon. So we are adjourned. Thanks everyone.

**At 4:00 p.m., 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.

Key: \*\*\*\*\* means unidentified speaker.

June 16, 2022

2:00 p.m.

**Wheeler:** Good afternoon, please call the roll.

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

**Wheeler:** Here. Now, we will hear from legal counsel on the rules of order and the quorum.

**Lauren King:** Good afternoon. If you wish to testify before council in-person or virtually, you must sign up in advance by visiting the council agenda. You may sign up for communications to speak about any subject. You may sign up for public testimony, for resolutions and first readings of ordinances. Testimony may be heard from one of several locations including chambers and -- written testimony must be submitted. Your testimony should address the matter being considered at the time when testifying testify the name for the record. The address is not necessary. State if you are a lobbyist. (reading rules of order).

**Wheeler:** Thank you. So we have one item on the agenda this afternoon. If the clerk can read item 542, please.

**Clerk:** Amend the comprehensive plan map and zoning map for properties at 5505-5525 southeast milwaukee avenue and the northeast corner of southeast ellis

street and southeast milwaukee at the request of renee france, radler white parks and alexander.

**Wheeler:** Thank you, we have a quasi-judicial hearing in front of the council. Continuation of the hearing consideration the recommendations of the hearing officer on whether to amend the comprehensive zoning map for properties 5505-5525 in milwaukee avenue. As a reminder, this item was in front of the council on june 1st. At the time, we heard testimony. We also closed the order. We're back today to continue our discussion and take tentative vote. First, the city attorney will make announcements and ask about conflicts of interests and ex parte communications.

**Hardesty:** The mayor sounds excruciating loud. Anyway to turn the sound down without breaking our eardrums.

**King:** Okay. There's a couple of orders of business. First all of the council members did receive a communication from the smile land use committee. The communication was entered after the closed off the record. I want to confirm that no member reviewed the ex parte for the record. If anyone did, please declare so. No one has reviewed the communication. The next order, commissioner ryan was not participating in the last hearing. Commissioner ryan intends to participate today. Have you reviewed the record.

**Ryan:** I have reviewed the record and i am ready to participate. I have no conflict. I have had no ex parte communication.

**King:** Great. Thank you so much. That's all for me.

**Wheeler:** As a reminder, the decision in front of us today to make tentative vote whether, one, approve the zoning changes and conditions as recommended by the hearings examiner. Two, approve the zoning changes with modifications to the conditions. Three, deny the application. When we last met, there were questions about the environmental implications as well as the scale of any future development at the site. At this point, i would like to open it up for council discussion and interested in hearing about potential modifications on the conditions that we might vote on today.

**Ryan:** Thank you, mayor. I wanted to start by saying it was wonderful to review the record. I want to thank the folks at oaks bottom by showing up. The testimony was helpful and great to hear all of your comments. Keelan, can you hear me? Kind of. I have to get closer to the mic. We keep adjusting in the virtual world -- hybrid world. My office wants to keep building bridges to move forward. The conditions before us reflect the commitment of compromise together. I want to thank my policy staff member, karen, she and chapman for leadership and work with amanda and bds to craft the recommendations before us. I want to thank the colleagues and staff for engaging with the staff to find the solutions we did in collaborative nature we did with all of you. I know commission hardesty would like to say a few words at this time.

**Hardesty:** Thank you, commissioner ryan for your compromise. I was moved by the community testimony heard. Grateful to work cooperatively with you and council offices to recommend some changes that we think actually will make this a better project. I think we will make sure we continue to address some of the mitigation issues that the community brought up. So, thank you so much.

**Ryan:** You're welcome. Mayor, should i read the motion.

**Wheeler:** Go ahead.

**Ryan:** I move that the council accept with the recommended conditions and additional conditions limiting development in the river overlay reducing the high of the rm4 properties to 65 feet and requiring bird glazing on the development of the west property. Keelan, can you pull up the slide with the detailed language.

**Hardesty:** She did.

**Ryan:** She already did. Thank you, keelan. Can you read it lauren or keelan?

**King:** I can read the conditions into the record. (reading conditions into the record).

**Ryan:** So moved.

**Hardesty:** Second.

**Wheeler:** Commissioner ryan has moved the proposed conditions. He has moved acceptance of the hearing examiners conditions with these additional proposed conditions. And commissioner hardesty seconds. Any further discussion? Commissioner mapps, did you have a question?

**Mapps:** First, let me say, i want to express my appreciation to commissioner ryan for bringing forward these amendments. I anticipate that i will vote in favor of these amendments. I do frankly have some concerns about the height piece. You know, colleagues, i believe it is the first time we made amendment to the comp plans. This is a unique moment and a unique space. I think one of the things that we are trying to do with comp plan to move towards density as we make decisions that undermine the principle. Especially, at this unique moment for the first time, something to be mindful of. On the other hand, i know the space well and i heard from the neighbors. I hope and i believe these are relatively welcome amendments from the involved parties. I do think this is space that we should be aware of and cautious of as we move forward. That's it, mr. Mayor.

**Wheeler:** Very good. And just a question of legal counsel. At this point, assuming our discussion is completed, this would be a time for us to take tentative vote, correct?

**King:** Yeah. If council feels ready, you can move forward and take tentative vote on commissioner's ryan motion which includes all three conditions with the caveat of miami nor change striking lots from the first condition to clarify it is west property and not west lots.

**Wheeler:** Very good. Just to clarify, it is my understanding, the proposed conditions were jointly brought forward by commissioner ryan and commissioner hardesty. Or am i incorrect in the assumption?

**Hardesty:** You are correct.

**Wheeler:** Thank you for reflecting on the communities input. Commissioner mapps.

**Mapps:** I had a process question. Today is a temporary vote. When does the final vote and what happens between now and the final vote.

**Wheeler:** Go ahead.

**King:** Today is the tentative vote. That gives staff and the prevailing party, in this case, which would be applicant, to revise the findings which is a thick document which demonstrates compliance with the plan and return, I believe, the date was July 16th --

**Clerk:** July 13th.

**King:** July 13th for 15-minute roll call vote for the revised findings.

**Wheeler:** Is that time alternate.

**King:** That's time certain.

**Wheeler:** Do we have time certain?

**Clerk:** 10: 15.

**Wheeler:** 10: 15 on July 13th. Colleagues, any further discussion? This would be tentative vote on the acceptance with proposed conditions. Please call the roll.

**Clerk:** Ryan.

**Ryan:** Aye.

**Clerk:** Hardesty.

**Hardesty:** Appreciate community members who made the voices heard. I want to appreciate staff in thoughtful and bringing forth their recommendations. I want to thank commissioner Ryan for really working collaboratively to ensure that we heard what the major concerns were, and that we actually adapted to address those concerns. Clearly, we do want development in the river overlay zone. Because this is a unique area it was important to put restrictions how development would happen in that way. The issue of 75 feet versus 65 feet, I think, 65 feet based on the location -- I agree with commissioner Mapps, of course, we want a density, but we want in a way in a location that makes sense and helps us build the kind of city we want to build. And the last condition that we added is really around the bird safe glazing. We know how dangerous it is for bird

migration when the shielding is not there. I think what we have done in the comprehensive plan with these amendments is make it better and not actual dilute the division and the values associated with land use planning. I'm very happy to vote aye.

**Clerk:** Mapps

**Mapps:** Aye.

**Clerk:** Wheeler.

**Wheeler:** Aye. The vote is in favor of passing the motion. This is a tentative vote. The final vote will be on July 13th time certain 10:15 am. Legal counsel any more business we need to attend to?

**Clerk:** No additional business.

**Wheeler:** All right. That completes the agenda for this session. We are officially adjourned. Thank you, colleagues.

**At 2:15 p.m., Council adjourned.**