



June 29-30, 2022 Council Agenda

5667

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

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Disposition Agenda

Audio Recordings

Wednesday, June 29, 2022 9:30 am

Session Status: Recessed

Council in Attendance: Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Commissioner Mingus Mapps

Commissioner Rubio presided. Mayor Wheeler presided at 9:49 a.m.

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

The Consent Agenda was adopted on a Y-4 (Hardesty absent) roll call.

Council recessed at 11:19 a.m.

Communications

573

[Request of Kelly Peterson to address Council regarding a ban on foie gras](#) (Communication)

Document number: 573-2022

Disposition: Placed on File

574

[Request of Stephanie Peron to address Council regarding a ban on foie gras](#) (Communication)

Document number: 574-2022

Disposition: Placed on File

575

[Request of QuiArie Mercier to address Council regarding fabrication and mistrial on custody case](#)
(Communication)

Document number: 575-2022

Disposition: Placed on File

576

[Request of Injured And Pissed Off to address Council regarding mayhem and cruel and unusual punishment](#)
(Communication)

Document number: 576-2022

Disposition: Placed on File

577

[Request of Clair Coy to address Council regarding a towing concern](#) (Communication)

Document number: 577-2022

Disposition: Placed on File

Time Certain

578

[Appoint members to the Private For-Hire Transportation Advisory Committee for three year terms](#) (Report)

Document number: 578-2022

Introduced by: Mayor Ted Wheeler; Former Commissioner Jo Ann Hardesty

Bureau: Transportation

Time certain: 9:45 am

Time requested: 15 minutes

Disposition: Confirmed

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

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

579

[*Accept grant in the amount of \\$500,000 from U.S. Environmental Protection Agency for Brownfield Assessment](#)
(Emergency Ordinance)

Document number: 190909

Introduced by: Commissioner Mingus Mapps

Bureau: Environmental Services

Time certain: 10:00 am

Time requested: 10 minutes

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

580

[Appoint six Regional Arts & Culture Council Board of Directors members to serve as jurisdictional representatives for the City of Portland](#) (Report)

Document number: 580-2022

Introduced by: Mayor Ted Wheeler; Commissioner Carmen Rubio

Bureau: Management and Finance

Time certain: 10:10 am

Time requested: 20 minutes

Disposition: Confirmed

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

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

581

[*Authorize grant agreements with youth-serving community organizations to provide programming and employment support in partnership with Portland Parks & Recreation for total amount not to exceed \\$1,320,000 in FY 2022-23 and FY 2023-24 \(Emergency Ordinance\)](#)

Document number: 190911

Introduced by: Commissioner Carmen Rubio

Bureau: Parks & Recreation

Time certain: 10:30 am

Time requested: 10 minutes

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

Consent Agenda

582

[Authorize five-year Price Agreement for National Sanitation Foundation 60 Certified Sodium Carbonate not to exceed \\$8,500,000 \(Procurement Report - Project No. 127962\) \(Report\)](#)

Document number: 582-2022

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance

Disposition: Accepted - Prepare Contract

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

583

[*Pay settlement of David Glatfelter, Jr. bodily injury lawsuit in the sum of \\$9,000 involving the Portland Bureau of Transportation](#) (Emergency Ordinance)

Document number: 190899

Introduced by: Mayor Ted Wheeler

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

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

584

[Authorize a competitive solicitation and contract with the lowest responsible bidder and provide for payment for the 1900 Building Lighting Upgrades LED project](#) (Ordinance)

Document number: 190900

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance

Second reading agenda item 554.

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

585

[Reappoint Serena Stoudamire Wesley to Prosper Portland Board for term to expire July 8, 2025](#) (Report)

Document number: 585-2022

Introduced by: Mayor Ted Wheeler

Bureau: Prosper Portland

Disposition: Confirmed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

586

[*Authorize contract with Total Mechanical, Inc. for construction of Water Pollution Control Laboratory cooling system replacement for an estimated cost of \\$4,300,000](#) (Emergency Ordinance)

Document number: 190901

Introduced by: Commissioner Mingus Mapps

Bureau: Environmental Services

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

587

[*Authorize the Bureau of Environmental Services to reimburse the property ratepayer at 1001 NE Madrona St for sewer user fees in the amount of \\$4,216](#) (Emergency Ordinance)

Document number: 190902

Introduced by: Commissioner Mingus Mapps

Bureau: Environmental Services

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

588

[Declare property located adjacent to 12047 SE Martins St as surplus property and authorize the Director of the Bureau of Environmental Services to transfer the deed to Multnomah County](#) (Ordinance)

Document number: 190918

Introduced by: Commissioner Mingus Mapps

Bureau: Environmental Services

Disposition: Passed to second reading

Passed to second reading July 13, 2022 at 9:30 a.m.

589

[Declare property located at 6917 SE Deardorff Rd as surplus property and authorize the Director of the Bureau of Environmental Services to dispose of the property by public sale](#) (Ordinance)

Document number: 190919

Introduced by: Commissioner Mingus Mapps

Bureau: Environmental Services

Disposition: Passed to second reading

Passed to second reading July 13, 2022 at 9:30 a.m.

590

[Authorize the Director of the Bureau of Planning and Sustainability to execute a grant agreement for FY 2022-23 with SOLVE in the amount of \\$850,000](#) (Ordinance)

Document number: 190903

Introduced by: Commissioner Carmen Rubio

Bureau: Planning and Sustainability

Second reading agenda item 558.

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

Regular Agenda

591

[Appoint and reappoint voting members and ex-officio members to the Portland Utility Board](#) (Report)

Document number: 591-2022

Introduced by: Mayor Ted Wheeler; Commissioner Mingus Mapps

Bureau: City Budget

Time requested: 10 minutes

Disposition: Confirmed

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

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

592

[*Authorize Portland Police Bureau to offer hiring bonuses to Public Safety Support Specialists and Lateral Police Officers in amount not to exceed \\$500,000](#) (Emergency Ordinance)

Document number: 190910

Introduced by: Mayor Ted Wheeler

Bureau: Community Safety Division; Police

Time requested: 15 minutes

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

593

[Amend approved application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Pepsi Blocks Phase 1A, Building A located at 827 NE 27th Ave to decrease the number of restricted units \(amend Ordinance No. 190051\)](#) (Ordinance)

Document number: 190904

Introduced by: Commissioner Dan Ryan

Bureau: Housing Bureau

Second reading agenda item 564.

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

594

[Amend Evaluation of Applicants for Dwelling Units and Security Deposits; Pre-paid Rent Code and adopt the Portland Housing Bureau's Rental Housing Security Deposits Permanent Administrative Rule \(amend Code Sections 30.01.086 and 30.01.087\)](#) (Ordinance)

Document number: 190905

Introduced by: Commissioner Dan Ryan

Bureau: Housing Bureau

Second reading agenda item 549.

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

595

[Assess benefited properties for street, sidewalk and stormwater improvements in the N Burlington Ave and Edison St Local Improvement District \(Hearing: C-10057\)](#) (Ordinance)

Document number: 190906

Introduced by: Former Commissioner Jo Ann Hardesty

Bureau: Transportation

Second reading agenda item 571.

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

596

[Authorize a 5-year deferral of single-family residential assessments in the N Burlington Ave and Edison St Local Improvement District \(C-10057\)](#) (Ordinance)

Document number: 190907

Introduced by: Former Commissioner Jo Ann Hardesty

Bureau: Transportation

Second reading agenda item 572.

Disposition: Passed

Votes: Commissioner Carmen Rubio Yea

Former Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

597

[*Authorize Intergovernmental Agreement with Multnomah County for vector control services for an estimated amount of \\$1,710,000](#) (Emergency Ordinance)

Document number: 190908

Introduced by: Commissioner Mingus Mapps

Bureau: Environmental Services

Time requested: 10 minutes

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

598

[Amend contract with Synagro West, LLC to correct a pricing error and account for a price increase due to an introduced tax from Metro for a total not to exceed cost of \\$9,082,945 \(amend Contract No. 30007677\)](#) (Ordinance)

Introduced by: Commissioner Mingus Mapps

Bureau: Environmental Services

Time requested: 15 minutes

Disposition: Referred to Commissioner of Public Safety

599

[Authorize Intergovernmental Agreement with Eugene Water and Electric Board for scheduling services for the Portland Hydroelectric Project not to exceed \\$1,040,000](#) (Ordinance)

Document number: 190925

Introduced by: Commissioner Mingus Mapps

Bureau: Water

Time requested: 10 minutes

Disposition: Passed to second reading

Passed to second reading July 13, 2022 at 9:30 a.m.

600

[*Authorize a Management Agreement with Pioneer Courthouse Square, Inc. to operate and manage the Pioneer Courthouse Square](#) (Emergency Ordinance)

Document number: 190912

Introduced by: Commissioner Carmen Rubio

Bureau: Parks & Recreation

Time requested: 5 minutes

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

601

[*Authorize License Agreement with the Leach Garden Friends to operate and manage the Leach Botanical Garden](#) (Emergency Ordinance)

Document number: 190913

Introduced by: Commissioner Carmen Rubio

Bureau: Parks & Recreation

Time requested: 5 minutes

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Absent

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea

Wednesday, June 29, 2022 2:00 pm

Session Status: Recessed

Council in Attendance: Mayor Ted Wheeler
Commissioner Carmen Rubio
Commissioner Dan Ryan
Commissioner Mingus Mapps

Mayor Wheeler presided.

Motion to elect Commissioner Mapps President of the Council: Moved by Wheeler and seconded by Ryan. (Y-4; Hardesty absent)

Officers in attendance: Wendy Hain, Senior Deputy City Attorney; Keelan McClymont, Council Clerk

Council recessed at 3:54 p.m.

Time Certain

602

[City Auditor Report to Council on the Charter Commission's Proposed Measure to Voters](#) (Report)

Document number: 602-2022

Introduced by: Former Auditor Mary Hull Caballero

Bureau: Auditor's Office

Time certain: 2:00 pm

Time requested: 1 hour

Disposition: Placed on File

Vote not called.

Thursday, June 30, 2022 2:00 pm

Session Status: Adjourned

Council in Attendance: Mayor Ted Wheeler
Commissioner Carmen Rubio
Commissioner Dan Ryan
Commissioner Mingus Mapps

Mayor Wheeler presided.

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

Council adjourned at 3:08 p.m.

Time Certain

603

[*Readopt remanded Ordinance No. 189807 to restrict bulk fossil fuel terminals \(amend Title 33\)](#) (Emergency Ordinance)

Document number: 190978

Introduced by: Commissioner Carmen Rubio

Bureau: Planning and Sustainability

Time certain: 2:00 pm

Time requested: 3 hours

Information found at <https://www.portland.gov/bps/planning/fossil-fuel-zoning/about-fossil-fuel-terminal-project>.

Submit written testimony on Map App at <https://www.portlandmaps.com/bps/testify/#/fossil-fuel-zoning>.

Disposition: Continued

Motion to adopt the Bureau of Planning & Sustainability clarifying amendments as shown in Exhibit B: Moved by Rubio and seconded by Wheeler. Vote not called.

Continued to July 21, 2022 at 2:00 p.m. Time Certain.

Oral record is closed. Written record will remain open until July 7, 2022 at 5:00 p.m.

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.

June 29, 2022 9:30 a.m.

Rubio: Good morning, everyone. It is Wednesday, June 29th. This is the morning session of the Portland city council meeting. Would you please call the roll.

Ryan: Here.

Clerk: Hardesty?

Mapps: Here.

Rubio: Here.

Wheeler: Here.

Rubio: Please note that city hall is closed to the public due to the covid-19 pandemic. The city council is holding this meeting electronically. All members of city council are attending remotely by video and teleconference. The city has made several avenues available to listen to the meeting. On the city's YouTube channel. The website and channel 30. As a result of the covid pandemic. The pandemic is an emergency that threatens the public health, safety and welfare that requires us to meet electronically. Thanks for your patience, flexibility, and understanding as we manage this situation. E-mail the city clerk at councilclerk@Portlandcity.gov. Now we'll hear from the city attorney.

Naomi Sheffield: Good morning. You may sign up in advance with the council clerk's office for communications to briefly speak about any subject. You may sign up for public testimony on resolutions, reports or first readings of ordinances. The

published council agenda contains information about how and when you may sign up for testimony while the city council is holding electronic meetings. Your testimony must concern the -- please disclose if you -- you're a lobbyist. Individuals generally have three things to testify.

Rubio: Thank you. So first up is communications. Call the item number and then the first individual, please.

Clerk: 573. Request of Kelly Peterson to address council regarding a ban on foie gras. This person canceled their request. Next request of Stephanie Peron regarding a ban on foie gras. This person hasn't joined. Item 575 request regarding fabrication and mistrial on custody case. This person also cancelled their request. Item 576. Request of Injured and Pissedoff regarding mayhem and cruel and unusual punishment.

Injured and PissedOff: My name is Injured and PissedOff and I forgot to add the words torture, medical malpractice and elder abuse. It's a dog-eat-dog world here in Portland. I learned that 10-15-2010 I was transported by ambulance with my service animal after several attacks -- I went to the emergency room by ambulance put in a neck brace. After an hour they came out and said they were going to discharge me with a pair of crutches. I said, okay. But I can't move. Well, they decided to take more x-rays and found out that I had a broken hip. I kept asking them are you sure that's all I broke was my hip. And they proceeded after the surgery to have physical therapists stand me up and all I could do was throw up and that happened three times. After that I kept saying in between each session that are you sure that's all I broke. They finally admitted that after three days of that abuse I had my spinal cord fractured in two places. I still have trouble walking today that's been almost 12 years. I spoke of the Multnomah county board meeting June 2, 9, 16th, and 23rd. And explained there's almost 10,000 people a day dying in the united states and most of them get medical treatment. Hopefully better than what I received. Because that will

sure ruin a person's day. With all that never got any justice at all from the county. And yet I was saying that there's a potential of a fuel truck parking out in front of the brand-new Multnomah county courthouse and it dumps fuel to the police serve garage next door. And I'm wondering how long that building will be standing there if they continue with that. There are more pissed off people in the world than myself. In fact, I was only one of more than a million that was on google and that was some six years ago and my name, by the way is spelled Pissedoff as all one word. At least spell it right. I guess my time is up?

Rubio: Thank you, sir. I'm sorry about your situation. next communication.

Clerk: Item 577 request of Clair Coy to address council regarding a towing concern. You don't believe this person has joined us either yet.

Rubio: If that concludes our communication for this morning. I want to thank everyone who did testify. If there are any -- no other comments from my colleagues we'll go ahead and move into the consent agenda. Have any items been pulled from consent?

Clerk: We've received no requests. Can you please call the roll on consent.

Ryan: Aye.

Mapps: Aye.

Rubio: Aye.

Wheeler: Aye.

Rubio: Consent is passed. Keelan can you please read the -- I apologize. We're ahead of schedule for time certain we will go to the first item of the regular agenda. Which is 591.

Clerk: Appoint and reappoint voting members and ex officio members to the Portland utility board.

Rubio: Go ahead.

Mapps: Commissioner Rubio this is fundamentally. I think this is a [indiscernible] project between the mayor and I. I can handle the heavy lifting here. The ordinance before us today is about reappointing the Portland utility board, the Portland utility board is a 14-member body that provides oversight to the bureau of environmental services and the Portland water bureau. As the Commissioner in charge of the water bureau and bureau of environmental services, I work closely with the pub on some of the most important issues facing our utility bureaus. As the Commissioner in charge of our utility bureaus, I have to tell you the city of roses needs the Portland utility board now more than ever. Today the water bureau, environmental services face an unprecedented array of challenges. Those bureaus are grappling with climate change, inflation. Economic disruption, pandemic and legacy left behind by structural racism. Over the next year I will need the utility board's best ability to navigate three [indiscernible]. Utility rates. I'm committed to keeping our utility rates as low as possible. At the same time inflation is driving up expense, and I will leave the pub's best thinking on how we stay within the budget forecast despite the inflation. There's a second issue I will need the pub's help. As we keep utility rates as low as possible, I know there are Portlanders out there who are still struggling to make ends meet. That's why it's so important that the water bureau and the bureau of environmental services offer utility assistance programs that work for Portlanders on a fixed income. The good news Portland utility bureaus made important strides toward expanding and improving our utility assistance programs. We still have a lot of work to do. Water and environmental services will lead the pub's help getting the programs right. The third issue that I am and the city of Portland will need help with is oversight on major building projects. For example, the water bureau is in the process of building a new filtration plant and environmental services is in the process of making the largest improvement store, wastewater treatment we've seen since the 70s. These will help shape our infrastructure for our city for the next 50 years. It's important we get it

right and I look forward to the pub's contributions to those mission critical infrastructure projects. Colleagues, it's unfortunate but our volunteers who have agreed to serve on the pub next year and pub staff are not able to be here with us today because of scheduling conflicts. I will end today by thanking everyone who has volunteered to serve on the pub. I would like to give a shout out to the staff at the pub. They're doing a great job, too. Commissioner Rubio, I will hand the mic back to you to call the roll.

Rubio: Thank you.

Wheeler: If I may. If there's no public testimony on this, I will move acceptance to the report.

Rubio: Do I have a second?

Mapps: Second.

Rubio: We have a second. Please call the roll.

Ryan: Aye.

Mapps: Aye.

Rubio: Aye.

Wheeler: Aye.

Rubio: Item passes. Okay next we have, I think we have one more minute. If we can take a pause for one minute, we can return to the time certain on our agenda for the first item 578. So if my colleagues are not opposed we'll take a one-minute pause.

Rubio: We are now at 9:45. So can you please read the next item.

Clerk: 578. Appoint members for the for-hire transportation committee.

Rubio: I will turn it to Mark Williams.

Mark Williams: Thank you, Commissioner. Again, Marc Williams regulatory division manager with the bureau of transportation. We are here to respectfully request the confirmation of the following members for the private for hire advisory committee. Dan Lenzen will represent the public. Guy Auker TNC drivers. Jen Armbruster Allison

Ford. The committee is established by city council in December 2015 to provide expertise and feedback to the public the PBOT director and this city council. Private for hire market regulations and policies taking in consideration full range of city goals and objectives. The city consists of 19 diverse members. And Commissioner, with your permission I would like to invite our current committee chair, Mr. Darin Campbell to say a few words.

Darin Campbell: Good morning, Mr. Mayor, Commissioner Rubio. I am the director of marketing media government relations for [indiscernible] cab. I am a state lobbyist but that doesn't have any play here. As chair of the private for hire transportation advisory committee I'm encouraged by the new participation that we have from, I think incredible Portlanders coming to the table to help us with a lot of change in our industry. And the transportation industry is extremely important to the city of Portland. We are hopefully going to bolster that over the next three years of our participation. I would encourage everyone to give an aye vote on these new members. Hopefully we can move good stuff to you guys in the future. Thank you.

Rubio: Thank you. Does that conclude the presentation?

Williams: Yes, it does. I'm available for any questions that anyone may have for us today.

Rubio: Great. Colleagues, any questions for Marc on this item or Darin? All right. Thank you, everyone. Can I get a motion to accept these nominations?

Mapps: So moved.

Rubio: A second?

Ryan: I'll second.

Rubio: Call the roll.

Ryan: Yes. Thank you, Mark Williams, for being here presenting. And Chair Campbell and the new members. I vote aye.

Mapps: Yeah. I would like to thank Dan, Guy, Jen and Allison. We appreciate your contributions -- to this conversation. I vote aye.

Rubio: I want to thank Commissioner for bringing this forward. I vote aye.

Wheeler: Yes. Thank you I appreciate, thanks for the presentation. I'm happy to vote aye. Commissioner Rubio. I'm back in my best chair. I'll take the gavel from here. Thank you for stepping in. The report is accepted. Item 592 please.

Clerk: Authorize Portland police bureau to offer hiring bonuses to public safety support specialists and lateral police officers in amount not to exceed \$500,000.

Wheeler: Colleagues you recall this was previously presented to the council. I pulled the item to add more specificity about the payment schedule. Those details are now included. I'll turn this to captain Anthony Passadore of the PPD. Welcome. Are they on?

Clerk: Mayor, I don't see them.

Wheeler: Great. Terrific. So we will continue this item until they do show up. Can we please move on to item 593.

Clerk: Amend approved application under the multiple unit limited tax exception program under the inclusionary housing program for Pepsi blocks phase 1a, 827ne27th avenue to decrease the number of restricted units.

Wheeler: Commissioner Ryan.

Ryan: Thank you, mayor. I'm sorry I'm trying to keep track. We're on 593. This is the second reading, correct?

Mapps: Yeah.

Wheeler: So second reading, any first discussion on this? We've already heard a presentation and taken testimony. Seeing none. Call the roll.

Ryan: Aye.

Mapps: Aye.

Rubio: Aye.

Wheeler: Aye. The report is -- the ordinance is adopted. Item 594, please. This is also a second reading.

Clerk: Amend evaluation of applicants for dwelling units and security deposits prepaid rent code.

Wheeler: Any further business on this item? Please call the roll.

Ryan: Thank you for your deep engagement for your office for some time. Fair is a vital piece of housing ecosystem. Get more Portlanders into housing and protect tenants. The city does not typically comment or engage on pending comment or litigation. While the settlement for this case is not monetary, legislative in nature. We understand the desire for stakeholders to want to be involved. But the council needed to conclude two years of litigation in the most prudent way possible while maintaining intact vast majority of our overall ordinance. The -- administrative rules, and efficacy for the future amendments needed to carry out the full intent of the adopted code. I remain committed to fair alongside my city council members. This fair policy just as all new policies requires refinement over time. I know the housing market is unfortunately challenging for our BIPOC community. Do not attempt to erode the ordinance. Fair is here to stay. I am happy to vote aye.

Mapps: Aye.

Rubio: These were instrumental to ensuring that establishing the rights and families of individuals that were being negatively impacted by our housing market and to mitigate certain behaviors that would take advantage of the situation. It paved the way for other local jurisdictions to set similar protections and make real differences in people's lives. We must also understand that this conversation would be different if there was a lawsuit on our hands. While these proposed changes are necessary to eliminate the potential of [indiscernible] we must understand tenant protections are not finished here. And we have heard from Portland renters that there are additional areas of protection. Such as harassment. And we must do so in a transparent manner.

I look forward to working with Commissioner Ryan. [indiscernible] housing as a human right and human protections are a part of that. I vote aye.

Wheeler: I vote aye. The ordinance is adopted. We'll go back to continued item 592.

I understand Captain Passadore and Ken Lee are now on. Welcome gentlemen. You ever have one of those days, colleagues? We will skip that. We will continue that again. We will move to 594. This is a second reading of a nonemergency ordinance.

Clerk: You mean 595?

Wheeler: I meant 594. We just did that. You're correct. 595.

Clerk: [reading item]

Wheeler: This is a second reading. We've heard presentation and taken testimony. Further discussion on this item? Seeing none, please call the roll.

Ryan: Aye.

Mapps: Aye.

Rubio: Aye.

Wheeler: Good presentation. I appreciate it. I vote aye. The ordinance is adopted. 596 also a second reading.

Clerk: [reading item]

Wheeler: Further discussion? Seeing none. Please call the roll.

Ryan: Aye.

Mapps: Aye.

Rubio: Aye.

Wheeler: Aye. Ordinance is adopted. We'll go to item 597. This is an emergency ordinance.

Clerk: [reading item]

Wheeler: Commissioner Mapps.

Mapps: Thank you. This ordinance authorizes the bureau of environmental services to enter into a five-year intergovernmental agreement with Multnomah county. Put

plainly, environmental services seeks to contract with Multnomah county to help manage mosquitos, rats in Portland's sewer system. This intergovernmental agreement will last for five years and will cost about \$1.7 million. Here today with a brief presentation is Jeremiah Hess engineering supervisor with environmental services. Welcome Jeremiah.

Jeremiah Hess: Thank you. Thanks for the introduction. I appreciate the finally share my screen. Everybody see that?

Wheeler looks good.

Hess: Okay. So, just to quickly define vector. An animal or organism that spreads disease to humans. The two most common forms in our city are rats and mosquitos. Rats present problem to public health and the environment. Rats living in sewers. Lead pipes from streets and end up in people's yards and homes. Also, the environmental services owns and maintains over 180 stormwater facilities that are breeding grounds for mosquitos. The goals of this program are to protect public health. A partnership with Multnomah county that's been ongoing for many years. The goal is to protect the public and environmental health and ensure livability. Provide cost effective and monitor and control. The county has been providing the services for many years. There's been a long-standing agreement that includes, since 1968 includes other services that are more comprehensive than this IGA intended to authorize. The county provides rodent control. This provides rodent control and surveillance and mosquito control and surveillance using tools highly regulated to ensure we are protecting public health while performing the services. And the city provides education and public outreach outside the bureau of environmental services facilities. Those are complaint-driven response investigation. And the county will provide follow up recommendations for the public and they perform the specific baiting and entrapment for the environmental services. As mentioned, we're entering into a five-year IGA. The previous IGA has been revised. Updated to adjust the billing

rates and count for more current costs. Reimbursement is based on the actual services performed of the mosquito [indiscernible] those costs are tied to our assets tracking purposes. And then also, to report the cost and work performed spatially as well. Again, the total is \$1.71 million. Not to exceed the cost annually \$342,000. Educative immediately. And that is all I have. Questions?

Wheeler: Any follow-up questions? Commissioner Ryan.

Ryan: Thank you for that presentation. I -- my question really is most Portlanders would agree that the rat issue has been accelerating as of late. And I did get in your presentation a scope of that acceleration of that need. I would like to know if there's -- if you can also explain what these services actually provide? What is the scope of these services? I didn't catch that in the report. I am recovering, I'll be transparent. I'm recovering from covid so I'm rather slow today.

Hess: Okay. So I'll speak to the services that are covered under this IGA for environmental services first. When a customer in public calls and complains that there maybe a rat problem. If it's determined in the sewer system or sewer-related, county will come out and perform baiting and tracking of the rodents in the sewer system and bill as directly for that work. Same with mosquitos. It's a little different. That's complaint-driven. Again, with the mosquitos that's more proactive. We know we have these 180 facilities throughout town. We know they're problematic given the ground. -- breeding ground. The county goes out across the course of the year and bates those stormwater facility sites with -- effectively a bacterium that disables the growth of the mosquitos. It's strategically placed in highly regulated in that we are ensuring that we're protecting other aquatic organisms while taking care of the mosquito problem. Rats reactive, mosquitos proactive. Speaking to the bigger picture. This is the work that is covered under this IGA specifically for sewer-related services. I acknowledge there's a larger rat problem going on and certainly they're taking care of their food source. Cleaning up parts of town whether there's a lot

of -- where there's a lot of trash. The county doesn't do baiting and trapping for rats outside the specific scope within this IGA.

Ryan: That was helpful. I wanted to get the sense of that scope. I think most Portlanders see it literally with their eyes. But that wouldn't be related to the source in the sewer. That's on the surface, right. So that's usually department on -- dependent on -- this challenge facing our city. Did you speak to the increase. Have you noticed an increase in the need or is this just what people are colonial plain -- complaining about with their own eyes. Are you seeing it as well with the infrastructure of our sewer system?

Hess: I can't say I have. I have heard anecdotally. Not so much in the sewer system but conversations with the county and folks with knowledge of this work have said, yeah. The problem has been exacerbated as of late.

Ryan: I'm highly supportive of this. I was wondering with the scope of the problem if this is enough and if we're going to need more resources for this. That was the scope of my question. Commissioner Mapps you have more knowledge of this. And --

Mapps: I'm glad -- Mr. Mayor, if I may. Commissioner Ryan, I'm glad you brought up this topic. You're absolutely right. I think Portland is facing a growing rat problem and mosquito problem. I will point out for example the weather we had this year is perfect for an explosion of mosquito population. We had all that wet weather and now it's hot. It's a bad combination of events. What we have before us today is the strategy for dealing with one portion of that problem. The rats that live in the sewer and the mosquitos that grow in our wastewater treatment spaces. I completely agree with you. I was debating whether or not as part of my presentation if I should speak to the larger mosquito and rat problems outside the system. I think this is a growing problem. We should take it seriously. I've actually studied this problem. And other jurisdictions once the rat problem gets out of control it's really hard to put that genie back in the bottle. I hope the county works together to reduce the vectors of the city.

Wheeler: Good. Do we have public testimony on this item?

Clerk: No one signed up.

Wheeler: Very good. This is an emergency ordinance please call the roll.

Ryan: Thank you for bringing this forward. I appreciate the conversation. I didn't want it to go quickly without dialogue. I know the increase amounts of money that residents and businesses are spending on this. The presentation helped me understand the scope and role this plays in the bigger picture challenge. I'm happy to vote aye.

Mapps: Aye.

Rubio: Thank you Commissioner Mapps for bringing this forward and thank you for Jeremiah and look forward to this. I vote aye.

Wheeler: I hadn't heard about vector control in a number of years. It was one of my most favorite operations at Multnomah county when I was chair a long time ago. I also was advised that we were lucky. That in other cities as Commissioner Mapps and Commissioner Ryan mentioned. This is a major, major issue. The reason it's an issue isn't because rats are icky but because vectors create the opportunity for the spread of serious disease. It's something we do need to take seriously. Obviously, it can become exacerbated in the summer months. The responsibility for this is bifurcated. The -- for their own facilities. What's less clear is public rights-of-way. I think it's a little clear if we're talking about water and sewer systems and the like. I think it's good that this conversation is front and center again. I had a great conversation with the chair at Multnomah county yesterday about vector control. I appreciate this coming forward because it reignites a conversation that is past due. I vote aye and the ordinance is adopted. We will go back to the time certain agenda. Number 579. Emergency ordinance. Commissioner Mapps.

Clerk: You're muted.

Mapps: Thank you very much. I apologize for the technical difficulties. Which seem to be mounting.

Wheeler: It's not a meeting if you don't say you're muted once or twice.

Mapps: True. I'm trying to keep the tradition alive and I'm glad I can do so. Well, I was saying with my mic off colleagues, this ordinance authorizes the bureau of environmental services to accept a \$500,000 brown field assessment grant from the federal environmental protection agency. Environmental services brand field program helps Portlanders determine if their properties are contaminated with toxic waste and if they are, this program helps Portlanders to develop plans for cleaning up those spaces. Here today is jill who is a brown field program coordinator with environmental services. And I may have said jill. I meant to say Jen. Jen, welcome.

Jenn Bildersee: I think there are some slides to share from the clerk. Thanks. Good morning. I coordinate the brown field program at the bureau of environmental services. I'm here to give a couple minutes of background on item 57 -- 579. You have photos of rats and mosquitos and I will round out the morning with contaminated properties. The Portland brown field program provides technical and financial stance to -- we secure funding from multiple sources to bring that money to projects in our community so that environmental issues don't become an obstacle to reuse of sites. Pictured on this slide are three typical sites. Commercial properties in Portland neighbors that have some kind of contamination from historic use that prevented reuse. The environmental justice initiative and that district continues to shape the way we do our work now. I am here today with good news. Last month EPA announced Portland's latest application for competitive funding was successful. EPA is awarding \$500 to Portland -- \$500,000. To give an idea of how the money will be spent. We have used similar funds to address environmental issues on over 70 sites throughout the city pictured on the map. On almost all of our projects is not the property owner or lead. We support other organizations, individuals, and pure

roes. -- bureaus. On the right is a list of partners we've been able to assist with past grants. Habitat for humanity. Sabin CDC. Innovative housing. The projects we work on have different types of end uses. Brown -- that's shown in the graphic on the left. Our funded site so far have become 18 parks and green spaces. 12 urban farms. 31 small businesses and 14 affordable housing developments. Those affordable housing developments have resulted in 780 affordable units. That number is going to go up because two of those sites are still creating development plans. Every brownfield project has -- we protect water shed health and address environmental disparities. Help Portland reach lapped use goals. And support public health. The specific sites funded with this new grant have not yet been selected. Part of our work is working with many partners to identify sites where the funding will be most useful. Our agreement with EPA identifies two focus areas for the funding. The first is east Portland projects that have a community benefit. The second is projects anywhere in Portland that fourth is shelter to housing continuum. I hear two past projects pictured where we used a past grant that is the Beatrice morrow projects and the songbird. So we're very excited about this new funding source and we're happy to -- i'm happy to answer any questions.

Wheeler: Colleagues any questions on this item?

Clerk: Sorry my chat popped up. I'm not seeing anyone. Any public testimony?

Clerk: We had one person sign up. Julie Winters.

Wheeler: Welcome. Three minutes.

Clerk: Looks like they signed up for in-person testimony and I don't see them here. We don't have anyone.

Wheeler: Checking the list. I don't see them here either. Very good. All right. Then this is an emergency ordinance. Please call the roll.

Ryan: Thank you Jenn and Commissioner Mapps. It's a healing problem and access -- triage the most damaging [indiscernible] I appreciate your presentation.

I'm very excited to actually monitor this as it goes along. I'm sure this is the first investment we can hope for many. As thank you to the EPA for this reward. I'm happy to vote aye.

Mapps: I want to thank Jenn for the presentation and her work on the program. I believe the person who signed up to testify might have been with the EPA. I'm glad to vote aye on this item. It's one of our strategies for getting unusable space back providing a community benefit. It's a great program. Free money. Just wonderful thing for these reasons and more, I vote aye.

Rubio: Thank you Commissioner Mapps and Jenn for the presentation. What an exciting opportunity. I want to say congratulations and eager to see how this project moves forward. I vote why.

Wheeler: Looks great. Aye. The ordinance is adopted. I understand one of our communications folks showed up. Is that correct?

Clerk: Yes. We're working on getting them rejoined to the meeting. They're not on quite yet.

Wheeler: If they rejoin, ping me after one of these things and we'll fit them in. Next issue is item number 580. Time certain 10: 10 a.m. It's a report.

Rubio: It's been my honor to serve as Portland arts and culture Commissioner. There's also a liaison role to the regional arts and culture council. The arts I've long appreciated, and our office has gained a greater appreciation this year for arts and culture as a key part of the Portland identity. We worked with the RACC board and staff to identify promising candidates for service. Last year we moved forward board candidates – fast forward to now, we have a full slate of individuals and dedicated community members that are ready to serve on the board of directors. I'm excited to introduce RACC and have them tell you about these six new appointees – we will also hear from two of them. I'd now like to introduce Della Rae and Nathan Ricks.

Della Rae: Good morning. Co-executive director and lead of internal operations. Nathan ricks will not be able to join us but he sends his very best and I want to say thank you, mayor Wheeler and Commissioners and city at large for this opportunity to present the jurisdictional representatives. I believe we will hear from Dwight Adkins first. Thanks.

Dwight Adkins: Thanks so much. Portland is a wonderful place to call home. And the work of RACC helps support vibrant fabric with our community. The opportunity to share my lived experience through RACC is exciting and humbling. I understand firsthand the power of the arts and impact it has on broadening the conversation. I look forward to the possibilities ahead and thank you for the opportunity to serve.

Rae: Next we have Elizabeth Stock

Elizabeth Stock: Thank you for having me today. It's with great enthusiasm I'm expressing my interest in serving the city of Portland as a rack board member. I take this opportunity seriously. I care deeply about this city and much of my professional and personal time has been dedicated through place making and storytelling through art. It's critical that the voices of the community, especially those who have been systemically excluded or silenced are amplified through art. My own experiences including servicing as the director of [indiscernible] long-time tools that I will bring to this opportunity. But what might be my greatest strength is knowing that I don't know it all. I bring humility, curiosity to everything I do. As well as a deep awareness of my privilege as a cis gender white woman. I'm comfortable using my voice and position to advocate for arts and culture in my neighborhood. My skills as a listener and behind the scenes community organizer are, I think, have positioned me well for this opportunity. But my comfort and excitement is really in passing the mic or paint brush, or stage to those whose voices and stories have been historically left out. And that's a skill and value I've honed over the years and eager to bring to my activities

concerning rack. Thanks for considering my candidacy and those of my peers. Happy to answer questions you have.

Wheeler: Commissioner does that complete the presentation?

Rubio: Della would you be willing to announce the full slate to the council.

Della Rae: Sure. I have -- I have the agenda -- I have next that the mayor is next on the agenda.

Rubio: Thank you director and Dwight and Elizabeth for joining us today. We will turn it back over to you mayor and open up to our colleagues for questions.

Wheeler: Good. I don't have any prepared remarks but appreciate this.

Commissioner Mapps just put the full panel here. It looks like we have Dwight Adkins, Thomas Lauderdale, Leesha Posey, Renee Rank, Elizabeth Stock, Matt Watson. Does that sound right? I think that's the list and we appreciate those able to testify today. This is an important commission. I appreciate the diversity of voices represented through these appointments. Commissioner, these are exceptional people. It's tough work. We ask a lot of questions as city council. We have a lot of needs and demands. So I appreciate your willingness to serve. And it's always fun to see people serving in different capacities and bringing those different service experiences to the table. I think it makes for both a richer experience as well as more opportunity from all of us to learn from your diverse background experiences and such. With that, do we have public testimony on this report?

Clerk: No one signed up.

Wheeler: Further questions or discussion? Not seeing any. Please call the roll --

Wheeler: I apologize. I move the report. Can I get a second.

Mapps: Second.

Wheeler: Second from Commissioner Mapps. Please call the roll.

Ryan: Yes. First of all, Commissioner Rubio, you really out did yourself. We're recruiting to fill these types of slots. We always want thoughtful, experienced

dedicated people who have great life experience. And I've been around this town long enough to know the people on the list. You hit it out of the park. Elizabeth, I want to comment on something you said. I can't think -- for thank you for using that language. It's important to hear that out loud. Dwight good to see you thank you for your service. Thomas is probably in Paris or something but thank you for serving. And Leesha who does great work and Renee. What a great leader she is. I'm basically enthusiastic about voting aye today. I vote aye.

Mapps: Yeah. I like to thank Commissioner Rubio for bringing this incredible slate of candidates forward and I like to thank Dwight and Elizabeth and Tom and Leesha. I'm delighted to vote aye.

Rubio: I would like to thank Dwight and Elizabeth and all our appointees for serving in this role. It's an important time. And your service comes right at the right time. This council has a very strong commitment to the arts. And your insights will be important to be a partner with us as we think about the city's future role in the arts and how we can do more and better. Thank you for your willingness of your service. I vote aye.

Wheeler: Terrific crew. Don't forget to have some fun along the way. I vote aye. The report is approved. The appointments are approved as well. Thank you for your service. We can't quite go to the 10:30 time certain. Did that individual who wanted to speak in communications ever show up?

Clerk: Not yet, mayor.

Wheeler: We'll reschedule for a different day, please. I left 592 and at the risk of further embarrassing myself I will ask if anybody from the police bureau is able to testify for me.

Anthony Passadore: Yes. I'm here.

Wheeler: Thank you it's good to hear your voice.

Passadore: I'm very sorry I didn't have the link to arrive on time.

Wheeler: You're here now. Take it away.

Passadore: Council, thanks again for allowing us to come before you on this issue. Today we're seeking authorization, again, for the police bureau to offer hiring bonuses to support safety bonuses and [indiscernible] not to exceed \$500,000. To briefly touch upon why it's so valuable for us to have lateral police officers. First, with lateral police officers we do not have to send those police officers to the DPSD academy which saves us \$16,000. They process through the field training program much quicker. That means they go from phase one through four faster in their training. Ultimately get into phase five where they're a single police officer in a car able to perform regular patrol operations and serve the city and count as minimum staffing towards our staffing numbers. As well, lateral police officers are not unknown to us as far as the quality of their work and what we are getting as police officers for the city of Portland. When we recruit and do background checks on laterals. We're able to look at their 201 files and IGA files and see if they demonstrate the always have in their work and everyday life that we want to see in the city especially in police officers serving the city. As far as the PSD program. It's a competitive process to hire. And the ability to offer a hiring bonus will attract the most qualified applicants to recruit from. Two things, council asked for outline of how they any lateral officer that received a hiring bonus that bonus will have to be paid before December 28, 2022, because of pay equity laws. That law officer will have to successfully complete the background first and complete their probationary time. Once the probationary time is done, they will have to maintain employment with the city or any sworn classification within the Portland police bureau for five years. There's a rescheduled payment in case we have members that we bring on as laterals that cannot fulfill the obligations. If they were to leave within the first year of being hired. They would have to repay the \$25,000 all as a whole. If they were to leave within the second year. They would be responsible for the payment of \$ -- within four years. If they left, \$10,000. If they left before the five-year mark, they would have to

repay \$5,000. With the ps3 program. What we would do is looking on swearing in of the ps3s. They would receive a 100,000 bonus. At the completion of their third year is a \$2,000 bonus. The program is incredible valuable it works very well and helps in supporting our citizens of our efforts providing service in challenging times. This would be -- with new officers that we hire providing the opportunity to get the hiring bonus and allowing to attract the most qualified applicants. Any questions?

Wheeler: I have just a couple of basic questions, captain. Can you tell us about where this would put us competitively relative to other jurisdictions that we -- jurisdictions that we would consider as competition for laterals?

Passadore: There are other agencies such as Vancouver offering \$25,000 bonuses. As recent as today I've heard about some of those bonuses increasing. I haven't confirmed that. Even so much as doubling what we're offering. It's a competitive market right now. Many agencies within the state are offering hiring bonuses. I've said this before when we receive a lateral officer in our organization, lateral officers recruit lateral officer. I'm a lateral officer. I recruited many from the police bureau. Other agencies locally are offering higher bonuses.

Wheeler: Would it be fair, to say jurisdictions across the united states are facing significant retirements. Part of that our generation is ageing. Baby boomers are thinking about doing something else with the rest of their lives and of course, this is a tough time to be a police officer. So there's not a lot of people applying. So that's a national trend and local trend. Is it fair to say that we're going to need to remain competitive for a shrinking pool of candidates?

Passadore: Absolutely. And not only are people becoming retirement eligible. But historically across the nation, one of the trends we're seeing is people used to come up on the retirement date and they wouldn't leave necessarily right away the profession and retire. They would stay two- or three-years extra. The trend today

people are leaving sooner than their authorized retirement date. There's going to be an increase for us to need to hire at a very effective rate.

Wheeler: Captain maybe this is more of a comment than question. I appreciate your leadership on this and insight. My belief is there a three-prong approach. Hire-retire. Obviously, this incentive-based program will help attract laterals as you indicated. Of course, sort of the third big bucket of strategies is to find alternatives to sworn certified officers that could help take some of the pressure off in doing other improvements like improving our 911 call system and diverting call type of things. I'm stating this just by way this isn't our own strategy. This is another tool in a bucket of tools geared toward hiring and retention. I appreciate it. I have a bunch of hands raised. Commissioner Ryan then Rubio.

Ryan: Thank you mayor and captain. I want to make sure I heard you right. When you said the trend, you noticed of late. I didn't know how of late that's been. The last year or two and is it just Portland or a national trend in terms of people not wanting to stay in their jobs longer than retirement? I get this and I'm done. That's what I heard from you but I didn't hear if it was recent trend just started and two, is it Portland or national?

Passadore: Let me reflect first of all on Portland. We have a lot of people who have been retirement eligible for quite a while and are staying with our organization. We're happy with that and we need their expertise. As a trend since the end of 2020 where more officers are retiring at their retirement date or very close to it than would normally stay a few extra years.

Ryan: Can we fracture they actual -- tract if they actually take on another police bureau in another jurisdiction.

Passadore: We do have exit surveys. They're voluntary. We ask if they're leaving for other organizations. We also implemented a strategy recently in the personnel division when the separation form comes in, we change the process that it comes

quicker than it used to. We have the recruitment team reach out to see if there's anything we could do, concerns, any method of communication or connect with leadership where we can retain those employees. Some are moving on to retire. Some taking private sector jobs and some taking jobs with other organizations. I think that's consistent.

Ryan: That's just in the category of retirement age? Not everyone.

Passadore: Yes.

Ryan: And our office could get more details and information from you?

Passadore: Yes. Through the personnel division.

Ryan: Thank you.

Rubio: Captain, can you tell me about -- what is the current state of our vacancies as of right now. And what are some of the plans that you have for recruitment and where are you recruiting from to get a more diverse pool - just curious.

Passadore: I will touch upon the recruiting piece now and I will ask Ken Lee with the services division to talk about our numbers. I haven't seen them in a few weeks. The recruiting process right now in Portland is robust. We're doing localized recruiting through our cadet program. Where cadets come of age and can qualify to be police officers. That's all-local homegrown talent, if you will. And reaching out in the community. We had recruiters at good in the hood. Recruiters at the rose festival. All these local events. We also are reaching out within the northwest, especially, to colleges and universities. And athletic departments. A lot of our athlete it's a diverse group of young people who have an amazing experience of life and performing with teamwork. A lot of those qualities that translate into police work, culture of policing. And also looking to recruit out of our military. The military compared to 20 years ago is a lot different today. There's a lot of peace keeping missions. A lot of our military personnel interested in coming to the Portland police bureau they have a lot of life experience, leadership experience. They've been in the military for 15, 20 years. They

have families they are looking to come to live vibrant communities. That is what importantly officer. The recruiting process is going very, very well and we're happy with it. And we have a great recruiting team. Ken, if you could help me out with the numbers for staffing.

Ken Lee: Good morning city council. Ken lee community safety division. Currently right now we have 107 sworn vacancies joining in July.

Rubio: Thank you.

Wheeler: Any further questions? Any public testimony?

Clerk: No one signed up.

Wheeler: Very good. This is an ordinance. -- Commissioner Ryan had a question. Go ahead.

Ryan: Thank, Mayor. Can't you know this is a big topic everywhere. We don't get a chance to have you at the dais that often. I appreciate Commissioner Rubio's questions. I was reflecting a little bit. You said athletic departments. Universities, colleges, high schools?

Passadore: Universities. High schools we couldn't because of the age. There's a requirement that you're 21 years old to be a police officer. So we've really focused on universities. Those are high-level universities, division one and small schools, communities et cetera. In those we're also doing other recruiting. That's a focal point.

Ryan: In our market. And equally focused on men and women, right?

Passadore: Absolutely. There's a very diverse population within the athletic systems of those universities as well as within the military.

Ryan: That makes me happy. I appreciate that you said there's other majors at universities. Because it's not -- you don't have an athletic major as you're part of the athletic department. What are some of the other components of our higher education system that you see a trend of implementing more engagement? Beside athletic departments.

Passadore: At the universities we also visit alumni associations within the universities. There's a lot of people who have graduated, in a profession and they look for another profession and they go back to the university to see if they have connectivity with other businesses. We want to be part of the connectivity. As military groups whether ROTC or veteran associations. And your basic job fairs. That's what is usually attracts us to a university is a job fair. Part of my direction was to branch in all these other areas to share what we offer as an organization for employment. And have those universities and colleges shares with their students and alumni about what we can provide for them and what the quality of life is here in Portland. And try to attract them to come and work for us.

Ryan: Thank you, captain. Thanks mayor.

Wheeler: Thank you Commissioner. Public testimony?

Clerk: No one signed up.

Wheeler: Call the roll.

Ryan: Yes. Thank you, mayor, for diving into the partnership. And also including the council offices in this process. I also want to thank the questions that we had today and the dialogue that took place. Captain you're very transparent. It was helpful and has my brain click about how to stay present with the police bureau on understanding and being helpful to continue to just to make head way. Clearly there's a -- presentation is bigger than reality. The interpersonal relationships that we have to build so that we can attract those that are -- compose the attributes you want in someone that can show up with the proper balance as a first responders. I know from the ride-alongs I've done it's always clear to me that I'm not saying that the military background isn't necessary. But to me it's much deeper than that. Having the -- I think people that have a background or a social work background that they're in the psychology and sociology department. Humanities, liberal arts. This is a great pathway. A humane profession. When it's done right as I think you would agree.

Anyway. I have no doubt that we need more uninformed. Sorry I just woke up literally from having covid the last four days. I have no doubt that we need unarmed officers -- officers that are trained in the [indiscernible] and the public can help address those needs. I appreciate the trend we're experiencing with this type of transparency. I vote aye.

Mapps: I like to thank mayor and those who provide testimony. This council follows through on a commitment we have made to reform, rebuild and reimagine our public safety system. For these reasons and more. I vote aye.

Rubio: Thank you mayor for bringing this forward and having flexibility in addressing our pressing challenges. Thank you, captain, for the presentation. You know, since this was [indiscernible] I had questions that have since been answered. It was helpful to learn a lot more about the way that you're navigating these challenges with the challenge that we're facing of over 107 vacancies. That's a challenge. At this moment our city really needs a bureau that is operating on fully funded capacity. I'm glad to learn about the recruitment happening and glad a thoughtful recruitment process to bring that 21st century policing orientation and community-centered approach to their work. That's going to be important for our city. I look forward to future updates and other new insights or needs along the way. I vote aye.

Wheeler: As we're all aware. Recruitment and hiring are a challenge in many industries in law enforcement no exception to that. My colleagues and I hear from constituents every day who are very frustrated by the shortage of officers unavailable to help. We have the obligation to use every tool we have to address this staffing shortage. This enhances our ability to -- for and p -- lateral positions and ps3 positions. I want to do everything I can to bolster those efforts. It's important to note that even though we're showing increase in applications, the screening process for these positions is vigorous and that number will be narrowed significantly. This approach incentivize increased applications without comp mice -- compromising the

high expectations we have for sworn and unsworn. Happy to vote aye. The ordinance is adopted. We will move now to emergency ordinance number 581. This is a time certain, 10: 30. [reading item]

Rubio: I'm excited to bring this item to council today. Portland parks recreation has a long history with collaboration community organizations across a broad spectrum of services. Beginning in 2015 as part of an expansion in investment and team services. Portland parks and recreation awarding two-year grants with a team-collaborative initiative to organizations that provide programming and appointment that [indiscernible] safe environments. Lead activities and programming during school time [indiscernible] violence represent underserved communities and communities of color. Portland voters overwhelmingly supported the local parks levy. In the past years parks and rec have provided grants of seven community partners. Parks levy funds and build upon successful team collaborative initiative with community partnership program grants. Now, I will turn to it director Adena Long

Adena Long: Good morning. Director of Portland parks and recreation. Thank you very having me today. In March of this year when parks and rec response from community partners was incredible. 47 applications were received from nonprofit and community-based organizations in Portland. Thank you to all organizations that expressed interest and participating and submitted applications. Organizations were chosen based on their readiness and expertise in engage underserved youth for programming and -- before celebrating teen collaborative initiative grants I want to thank team collaborative partners who have supported this program since 2015. Not only providing services to youth but also participating in an ongoing youth service-learning community. Which supports program quality improvement and networking. As part of the program, this network of partners meets monthly and engages in substantive dialogue. Thank you. Our incredible partners, past and current, boys and girls club, public elevate oregon, Latino network, Portland opportunities central

center self-enhancement, I think. Native American center, and I'm so proud of Portland parks and recreation staff who have built the teen collaborative initiative over the past years. Thank you those who are providing mentorship, positive activities, opportunities for learning new skills and employment support to youth in our community centers. I'm excited for the community principal program. Including arts, focused sports, focused organizations. As well as greening activities that will clue youth to stewardship of nature and help them develop skills that will prepare them for the green sector. The shared goals of the community partnership program and teen collaborative initiative grants to increase the capacity of youth and teen service organizations to engage and center underserved youth and teens in a broad range of recreational and green activities. [indiscernible] park and recreation network of partnerships and increase the capacity of organizations that bring knowledge, expertise and resources and approach to serving culturally [indiscernible] communities. Reach underserved youth, teens and center equity and build strength and partnerships with youth organizations that can support the recruitment and sustainment of teens and young adults with the employment. Parks and recreation is recommending the award of two-year grant agreements to 20 organizations. They include 18 collaborative initiative grants immigrant community organization. Latino network. New avenue news for youth. Portland opportunities centralization center incorporated and rose mayor Anderson high school. Blueprint, self-enhancement inc. 12 community partnership programs are open to friend of noise. Bollywood dreams entertainment. Youth orchestras. Friends of baseball, girls on the run. Home forward, kids and tennis. Lentz habitat restoration project. People of color outdoors in partnership with the Columbia water ship council. Authorizing these a commitment of strengthening our partnerships across Portland and to provide expanded opportunities and positive activities in safe environments for underserved youth. I could not be more excited to make that commitment to our

community. Be -- due to recent schedule changed we were not able to coordinate that, and we are grateful for them and our community partners. I will pause and see if any has questions. I also have colleague Claire Flynn on the panel should you have questions regarding the grantees.

Wheeler: Thank you. Colleagues any questions. Public testimony on this item?

Clerk: No one signed up.

Wheeler: Very good. This is an emergency ordinance. Commissioner Ryan?

Ryan: Hello. Director. I can't think of a more exciting summer job than a youth being involved in this program. This is more of an antidote. Do you see trends with jobs programs like this where later on they become a member of your team? At parks and rec. Is it a really a conversation -- how do we build these pathways into wonderful careers in parks and recreation. I'm curious about that.

Long: It's a great question. I would like to say that we definitely are trying to create a parking legacy. We have what I refer to lovingly as rec babies. These are folks who took part in our services as children. Come back and counselors, or youth leaders and go out to seasonal work and full-time work. I am one of those. I started my parks career as a seasonal park ranger. And as I like to say it's the best summer job I never left. Absolutely. That is what we -- that is our intention is to bring people up through the programs and into employment.

Ryan: Definite rec babies. Thank you.

Wheeler: Thank you Commissioner Ryan. Call the roll.

Ryan: Yes. Great presentation. I am excited about these investments. Thank you for being here. Aye.

Mapps: Thanks to Commissioner Rubio for bringing this item forward. Thanks to director long for this presentation on what looks like a great program. I am glad to vote aye.

Rubio: Authorizing the grants is strengthening our networks. In my previous nonprofit work, I've seen firsthand the impact of these parks partnership grant and every dollar matters and have immeasurable return. Building stronger, safer, and more inclusive communities. I'm glad we have a parks bureau that values. I vote aye.

Wheeler: Happy to vote aye. Thank you, director, long. Thank you, Commissioner Rubio, and everybody at Portland parks and recreation for doing something great here. Thank you. The ordinance is adopted. We'll go back to the regular agenda. Item 598. [reading item]

Wheeler: This is a first reading of a nonemergency ordinance.

Mapps: I will pull this back to my office.

Wheeler: Without objection pull back. Item 599. [reading item]

Wheeler: Nonemergency ordinance. Commissioner Mapps. Colleagues you know that I am your Commissioner in charge of the water bureau. However, you may not realize that I also lead a bureau that you may have forgotten about. That is the bureau of hydroelectric power. The bureau of hydroelectric power because the bureau operates a small electric dam at our facility. Enough to power 10,000 households each-year. The ordinance deals with the dam. The ordinance authorizes the city of Portland to enter into an IGA with the Eugene water and electricity board to help run the project. The IGA runs for five years. The cost associated with this IGA will not exceed \$1 million 40,000. We have Dave Peters for special projects in the water bureau. Welcome, David.

David Peters: Thank you, Commissioner Mapps. I appreciate the opportunity to be here to talk about the little-known bureau with the hydroelectric bureau. I have a couple of slides if the council clerk will be willing to pull those up. To provide an overview of the governmental agreement. If we could go to the next slide. So that hydroelectric power program has been generating power since 1980. And as Commissioner Mapps pointed out we generated power to power about 9,000 homes.

We were in a contract with Portland general electric where they operated and maintained it and took the power and indeed everything that needed to take that power and get it to customers. In 2017 you may remember us coming back. We have developed several contracts to buy our power. They also do maintenance on our power lines. We have an agreement with a friend that does the operations maintenance called energy northwest and we have an agreement with the Eugene water electric board. And, scheduling and dispatch is a service that's required under our contract with Portland general electric. And what they do is they take all the inputs of from our system how much water we have, how much water's coming in to the reservoirs. How much water we need to send to town for drinking water. How much water we need to send down the river. Of they take all that information and figure out how much power we can generate throughout the day and at which power house. We actually have two power houses up there and they take all that. They tell PGE how much they plan to send them that day and which hours they plan to send it and then they do all the work to make sure the power gets there when we said it would get there. So that's what scheduling and dispatch is. And if we keep going to the next slide. So over the past five years in our agreement with them, we've had a good working relationship, but we have found we needed to adjust the scope to better reflect those services for the small facilities that we are, we have a very complex system when it comes to generating power. We have the requirements downstream for fish falls. We have the needs of drinking water and all of that needs to be balanced. So we worked with EWEB with a scope to come up with better reflections of what we needed and that's the cost proportion than the last intergovernmental agreement and the new one we're asking for approval today. There's also been cost increases for the labor to do the work. All cities have been dealing with inflation the way it's going and a small increase is related to inflation also. But we have had a great working relationship with EWEB. They have some of

their own dams. They have the people that know how to do this and have done a great job for us bringing us in to their portfolio and we'd like to continue that relationship. That being said, we didn't just -- we did look around before we decided to go back to EWEB for this work because that was a big cost increase. So we contacted other agencies that do this around the country and found that the cost of services that were being proposed for the scope of work that we had is pretty consistent with any firm that we would go to. And, e web has an understanding of our system. We wouldn't have to train someone new to come in had and understand our system and the intricacies of it. We'd just like to continue with that good working relationship we've had. So, the next slide, it's just a summary of our request is to authorize this intergovernmental agreement with EWEB with dispatch of our hydro electric part of our facility. It cost us \$40 million on a 5-year basis, it works out to about \$16,000 a month and that would be starting this new fiscal year. The last slide, do you have any questions? I'd be happy to answer those

Wheeler: Thank you. Colleagues, any questions on this item? Commissioner Ryan.

Ryan: Thank you. One I just want to do a field trip up there. It would be wonderful to go to that lovely spot. And I know you think you're just being funny but this isn't an actual bureau.

Peters: No. It's an actual bureau. Portland electric bureau and it's actually part of the general fund.

Ryan: Oh.

Peters: The water bureau has oversight for it in their budget.

Ryan: Oh, okay. I'm glad I asked. I didn't know that. I'm always surprised how many bureaus we have. So I get to once again admit, I'm always baffled by why we have so many bureaus. This can be another example of that. That doesn't discredit any of your work. I thought that was just humor. Anyway. I'll stop there. Anyway, great

presentation and I look forward to doing a field trip up to the beautiful site and thank you for the great relationship you've established with the people of Eugene.

Peters: Awesome. We look forward to having you up there.

Wheeler: Thank you. Commissioner Mapps.

Mapps: I just wanted to thank Commissioner Ryan for asking the bureau question. Once a year, I have to bring an item to council which deals with the hydro bureau. It's completely understandable that folks might not remember that this is a project we have. There's a long interesting history with the water, the city of Portland's relationship to hydro electric power. Someday we'll sit down and do a download on how we got here and also where we're going next which will probably -- you'll see me in a year talking about that and David too. And, David, thank you so much for the presentation. And I'll turn it back to you, Mr. Mayor.

Wheeler: Very good. Do we have any public testimony on this item?

Clerk: No one's signed up.

Wheeler: Very good. This is the first reading. It moves to second reading. Next up item 600 an emergency ordinance.

Clerk: Authorize a management agreement with pioneer courthouse square inc. To operate and manage the pioneer courthouse square.

Wheeler: Commissioner Rubio.

Rubio: Thank you, mayor. Pioneer courthouse square was born with the sole purpose of managing courthouse square in the heart of the city. The current management agreement will expire on June 30th, 2022. Pioneer courthouse square experiences mixed and continue to manage the square. Portland parks and recreation have negotiated a new management agreement with updated terms that will be effective for the next three years and in order to provide the community an uninterrupted essential services for parks and recreation staff seeking emergency declaration for

council to execute this agreement. I would now like to introduce parks property and business development manager Dylan Paul for a presentation.

Dylan Paul: Thank you all for giving me a few minutes to share with you. Of the Commissioner Rubio, you said most of everything that needs to be said in a brief summary. I know we're tight on time today. This is truly an amazing site. We have a great partnership. I'm joined with the executive director from courthouse escrow inc. Donna wilder joins us from my property team with negotiations in the new agreement. The new agreement isn't just a three-year management agreement. Management agreements under city charter are governed under goods and services though we have very unique agreements that live within parks. So we actually are running a lead on this one with the support of procurement since it's the sole source contract, we did have to seek a competitive exemption for city code 5.68 and a PTE Manual, so a public notice has been issued and none received. This is a three-year agreement that addresses annual funding. It allows pioneer courthouse square, ink, to continue to manage the square primarily operating the all-gender public restroom, advertising security management of the commercial leases on the site, and develop and maintain partnerships that enrich the community and visitor experience within Portland. The site experiences approximately 10 million visitors per year and hosts on average over 300 events. So it's definitely one of our most active sites in downtown and we really appreciate the partnership that we've had with pioneer courthouse square, inc.. So we're proposing a three-year new agreement with pioneer courthouse square, inc.

Wheeler: Very good. Does that complete your presentation?

Paul: Yes.

Wheeler: Very good. Thank you. I appreciate your service. Colleagues, any questions for Dylan? Keelan, do we have public testimony on this item?

Clerk: No one signed up.

Wheeler: Very good. This is an emergency ordinance, please call the roll.

Clerk: Ryan.

Ryan: I just want to take a moment to offer courthouse square that kept services active and vibrant during the pandemic. It's one of those much-needed places you could go for some connection with Portlanders and some joy. Anyway, I appreciate that and I'm happy to vote aye.

Clerk: Commissioner Mapps.

Mapps: I want to thank Commissioner Rubio for bringing this item forward and I want to thank Dylan for all the work that you do. I'm glad to vote aye.

Clerk: Rubio.

Rubio: Thank you, Dylan for your excellent work on this and thank you to the director for her great work at the square. I vote aye.

Clerk: Wheeler.

Wheeler: I vote aye and the ordinance is adopted. Thank you. And, the last item I believe on our agenda today is item 601.

Clerk: Authorize license agreement with the leach garden friends to operate and manage the leach botanical garden.

Wheeler: Commissioner Rubio.

Rubio: Thank you, Mayor. Leach garden friends has been a valued partner with the city for 40 years. This stewardship and commitment to excellence has been truly created one of the finest gardens. The east side location makes this very important as we seek to ensure sustainable long-term operational models, access and equity goals across the city intentionally. This new license agreement brings the city into alignment with the larger parks portfolio and establishes a new equitable and emissions policy that would ensure access to the garden without regard or resources. I'll ask for a presentation once more.

Dylan Paul: Thank you again, Commissioner. Members of the council. Good to be back. Leach botanical garden is in southeast Portland and donated by John and Lily Leach and that has been used as a botanical park and museum for the benefit of the public. I'm looking to see. It looks like we do have Ben Shockey, the new executive director for Leach Garden on with our questions. He is the newest addition to their growing and fantastic team over there. So if there are questions, I can field them, but just so everyone knows, Ben is also joining us in his new role. Today's agreement since 1984, the Friends have taken care of the responsibility for management operation of the Leach botanical garden. Expiring the agreement is a management agreement and governed by procurement policy. A 10-year term max under city charter so in order to preserve this 37--year-old partnership, Parks is bringing a new three-year real property agreement before city council which is not subject to the same limitations. This reflects the ongoing commitment and long-term nature of the relationship and partnership at the site. The reason this is being brought before city council is there are one-time payments being made to help Leach Garden Friends establish their larger presence on the site. Council knows a recently large construction project for this site changed the way the site needs to be operating and maintained thus a need for a new agreement for many reasons. The major changes to this new agreement include one-time money of approximately \$350,000 for a three-year period after which it's anticipated that the Leach Garden Friends will likely be self-sustaining on this site. Leach Garden Friends have also gone out on their own and received grant money to be used for city capital projects on the property and approximately \$1.55 million. The new agreement also allows for an admission program to be established for the first time at this site and it establishes a capital reserve fund which captures a percentage of admissions and event revenue to help offset capital expenses related to higher and increased use of the site. With the new admission policy, this new agreement also authorizes and requires a fee waiver policy.

The garden, Leach Garden Friends has stepped up and written one of the best garden fee waiver admission policies that we've seen to date. They exempt cost for admission for anyone with an Oregon Trail card, the WIC card, temporary assistance for needy families, refugee, cash assistance programs, Washington residents receiving pregnant women assistance, SNAP, and anyone who asks for free admission. The goal is to make sure anyone who cannot afford to pay but desires access will not be turned away regardless of their ability to pay. And so, with this high-visitor, high-traffic sites often experience a higher level of deferred maintenance and in line with all of our admission gardens, we are bringing those policies into the light and creating, you know, better pathways going forward. So we're really excited to have this new agreement and I'll go ahead and pause there in case there are any questions.

Wheeler: Not seeing any at this particular juncture. Keelan, do we have public testimony on this item?

Clerk: No one signed up.

Wheeler: All right. Very good. Thank you. And, again, thank you for a great presentation. This is also an emergency ordinance. Please call the roll.

Clerk: Ryan.

Ryan: Thank you, Commissioner Rubio. And thank you, it's good to see you again Dylan Paul. And each garden is such an oasis and an incredible amenity of the city of Portland. And congratulations on your appointment and I'm happy to vote aye.

Clerk: Mapps.

Mapps: Yes. I'd like to thank Commissioner Rubio and Dylan for the presentation. I think this looks great. I love the direction that each garden is evolving in. I also want to take a moment to just plug in for Leach Botanical Gardens for Portlanders who have not discovered it yet. It's a wonderful natural space sort of off of 122nd and Foster-ish. It's affordable as we've heard. Of it's historical. It's really great. I encourage

you and your family to go and check it out this summer. For these reasons and more, I vote aye.

Clerk: Rubio.

Rubio: I want to commend leach garden friends for their deep dedication to the park and consistently working hard on partnerships and keeping it flourishing and, of course, I would like to appreciate Dylan once again for all his excellent work here. Thank you, Dylan. I vote aye.

Clerk: Wheeler.

Wheeler: I'm very happy to support this. I vote aye. Thank you. The ordinance is adopted. Keelan, I think we got through everything. We sort of skipped here and there, but I think we got through the morning agenda, did we not?

Clerk: Yes, we did.

Wheeler: Very good. And, colleagues, we're going to add one more thing to this afternoon's agenda. We made Commissioner Rubio work over time on her duties as the council president and so we will need this afternoon to appoint the next person in line and that is you, Commissioner Mapps. And Commissioner Rubio's done a fabulous job. Just so you know, Commissioner Mapps, we're going to appoint you. Thank you for all your great work and all the staff. We are adjourned.

At 11:19 a.m., Council recessed.

Closed caption file of Portland City Council meeting

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June 29, 2022 2:00 p.m.

Wheeler: Wednesday, June 29th, 2022, afternoon session of the Portland city council. Good afternoon. Please call the roll.

Clerk: [roll call] .

Wheeler: And, we'll now hear from legal counsel on the rules of decorum. Good afternoon.

Wendy Hain: Good afternoon. Welcome to the Portland city council. City council is holding hybrid public meetings with limited in-person attendance in addition to electronic attendance. If you wish to testify before council in person or virtually, you must sign up in advance by visiting the council agenda on the council clerk's web page at www.Portland.gov/council/agenda. You may sign up for communications to speak briefly about any subject. You may also sign up for public testimony on resolutions, reports, or first readings of ordinances. In-person testimony may occur from one of several locations including city council chambers and the love joy room in city hall and the Portland building. Written testimony may be submitted at cc@Portlandoregon.gov. Your testimony must address the matter being considered at the time. When testifying, please state your name for the record. Your address is not necessary. Please disclose if you are a lobbyist. If you are representing an organization, please identify it. The presiding officer preserves order and decorum during the city council meeting so everyone feels comfortable, respected, welcomed and safe. The presiding officer

determines the length of testimony. Individuals generally have three minutes to testify unless otherwise stated. A timer will indicate when your timing is done. Disruptive conduct such as shouting, refusing to conclude your when your time is up or interrupting others' testimony will not be allowed. If there are disruptions, a warning will be given that further disruption may result in the person being ejected for the remainder of the meeting. After being rejected, a person who fails to leave the meeting is subject to arrest for trespass. Additionally council may take a short recess and reconvene virtually. That's all.

Wheeler: We appreciate that. Colleagues, before we go ahead to the auditor's report on the charter commission process, there's one official order of business that I hinted at this morning that we need to do first and that is to elect a new council president. And, effective July 1st, that is Commissioner Mapps' turn to be council president. As a reminder, this is a position that rotates every six months amongst council members excluding the Mayor, of course. Commissioner Rubio has done a really good job and I appreciate her willingness to step in and I want to thank you carmen so much for that. Commissioner Mapps is next in line as council president. While we are voting on this today, I want you to know that the new rotation will, of course, start July 1st officially and it will run through December 31st, 2022. So, colleagues, with that, I'd like to make a motion to elect Commissioner Mapps as our next council president. Could I please get a second.

Rubio: Second.

Wheeler: Commissioner Ryan, I'll let you go ahead and take the second there. Is there any further discussion on this item? Seeing none. Please call the roll, Keelan.

Clerk: Ryan.

Ryan: Thank you, Mayor. My fellow colleagues, we all started around the same time. I got in too soon. Commissioner Rubio did a great job the last six months. I vote aye.

Clerk: Mapps.

Mapps: I want to thank Commissioner Rubio for serving as council president. I'm honored to take on this responsibility and I'm happy to serve. I vote aye.

Clerk: Rubio.

Rubio: I just want to thank all my colleagues for the tremendous amount of patience during my learning and some of my mistakes. So thank you for your patience and I just want to say to Commissioner Mapps, you're going to be fantastic at this and thanks for giving me confidence and pep talks when I've had to take the floor. It's been great sitting next to you on the dais. So congratulations. I vote aye.

Clerk: Wheeler.

Wheeler: Well, I'm five and a half years being the presiding officer and I make mistakes each and every day and so by that standard, Commissioner Rubio, I think you've done an outstanding job. Commissioner Mapps, I appreciate your being our next council president. But, I know you'll do a brilliant job. Thank you for your service. I vote aye and the appointment is made. And just a reminder, Commissioner Rubio, you're still in the hot seat basically for the rest of the week, but when we reconvene next week, it will be Commissioner Mapps in the council president seat. Thank you, colleagues, for that. With that, Keelan could you read our one item for this afternoon. It's item number 602.

Clerk: City auditor report to council on the charter commission's proposed measure to voters.

Wheeler: Colleagues, this is, of course, the auditor's report to the city council and as such the auditor was certainly offered the opportunity to present her report to the council. She has declined. So I'll introduce the report on her behalf. The Portland city charter requires that at least once every 10 years, city council appoints a 20-member charter commission to review and recommend changes to the city charter. The city council appointed the current charter commission in December of 2020 as required by the current city charter. Over the last year and a half, the charter commission is reviewed the current charter and developed a proposal with amendments. Today, Julia Meyer

who's the project manager within the office of management and finance who has facilitated the commission's work will overview the charter review process. Then, we'll hear from the current charter commission co-chairs who will present the commission's proposal. As a reminder, the charter review commission is an independent body. Of they propose a measure under both the city charter and city code, this means that the proposed measure will go directly to a vote, it will go directly to the public for a vote this fall. The report we hear today will be treated as a report, quote, of an informative nature which requests no council action, unquote. Under PCC 3.02.040.146, in other words, council will hear the presentation as informational and no vote will be taken. And, with that, I'll turn it over to Julia Meier. Good afternoon.

Julia Meier: Good afternoon. Thank you so much, Mayor. And good morning Mayor and council. I think this may be only the fourth charter commission in the last 100 years in the city of Portland and it's only the second since Portlanders overwhelmingly supported a ballot measure to require periodic charter review by an independent charter commission. Investing in charter review through the budgeting process and supporting the independence of the commission to do its work. As the Mayor mentioned, over the past 18 months, the charter commission has conducted research and engaged community to develop and refine a proposal to deliver the change to Portlanders that they're calling for. On June 14th, the charter commission reached a significant milestone voting to advance a ballot measure to voters at the November 2022 election. Based on the city charter, if 15 or more charter Commissioners agreed to a recommended change, then that change goes directly to the ballot for Portlanders to vote on. Our amendments were supported by an informative vote of 17 charter Commissioners. So in excess of the 15 or more required for direct submittal to the ballot. I will just note attached to the auditor's report is an entire red line version of the charter which shows all the recommended changes as well as the charter commission's progress report that just gives greater detail about the charter commission's analysis

and community engagement to date. So we have with us a handful probably of charter Commissioners who are available to answer any questions that you may have and we're just going to start by having our two co-chairs give you an overview of the commission's proposal to change city government. So I'm going to turn it over to Commissioner Gloria Cruz to begin the presentation.

Gloria Cruz: Thank you, Julia. Good afternoon Mayor. Good afternoon Commissioners. My name is Gloria Cruz. I use they/them pronouns and I serve as a co-chair for the charter commission. We have a 15-minute presentation about the proposal to change city government and what comes next. Before we get started, I too want to thank you all for meeting with the charter commission and sharing your experiences with our current structure of government, your priorities for charter reform and your questions and reactions to our draft charter amendments. So we all know and understand the important work of charter reform requires engaging with Portlanders across neighborhoods, lived experiences and backgrounds. The charter commission committed to a community driven process to inform its decision-making and having an equitable accessible and transparent community engagement process. We've partnered with almost 20 community-based organizations to support the design and implementation of community education and engagement activities to meaningfully engage in Portland's diverse communities. On the screen, you'll see a snapshot of some of the engagement to date. We have hosted 26 community listening sessions with almost 600 attendees. We've received 1,600 comments including 15 hours of verbal public comment. And, we've held 120 briefings and presentations on charter review. Last month, we met with all of you and we held two city employee town halls with more than 1,100 city employees in attendance. On June 14th, the charter commission voted with a super majority to advance a ballot measure to change Portland city government on November -- in November 2022's ballot. The interconnected policies will strengthen our local government and democracy. The proposal changes city government in the

following ways, allowing voters to rank candidates in order of their preference using rank choice voting, four new geographic districts with representatives to each district. Expanding the city council to twelve members. And, a city council that focuses on setting policy and a Mayor elected citywide to run the city's day-to-day operations with the help of professional city administrator. I will now turn it over to my co-chair to describe the proposal.

Melanie Billings-Yeun: Apologies for that. Thank you, gloria, and thank you Commissioners for listening to our proposal. Let's start -- I'm going to start with the last parts that Commissioner Cruz mentioned. Under our proposal, members of city council will no longer directly manage city bureaus. City council will focus on making policy and engaging in serving Portlanders. The Mayor elected city wide will run the city's day-to-day operations with the help of a professional city administrator. This structured government is called Mayor council form of government. In the Mayor council form of government the roles of city leaders are clearly defined so Portlanders know who to hold accountable. It ensures our leaders are accessible and a time to build meaningful relationships within the community and those relationships and connections can better inform city councillors as they bop policy. This policy has a separation of powers lacking in our current system. City council will make the laws and the Mayor will carry out those laws. If the proposal is adopted by voters, the Mayor would no longer serve on or regularly vote with the city council except in having a tie-breaking vote. One city councillor chosen by their peers will serve as council president and preside at council meetings as you do now. Seven affirmative votes will be required to pass nonemergency ordinances. The commission has also added a provision to the charter on budgeting, the topic that's not mentioned in the current city charter. The Mayor will be responsible for posing the budget and the city council will function as the budget committee and is responsible for approving that budget. City resources can only be spent in conformance with budget approved by council. The Mayor will be able to provide political leadership

to quickly address urgent local issues and since the Mayor is elected citywide would be accountable to voters. The proposal ensures there are checks and balances on our elected officials to create a more transparent and accountable government. Now, let's turn to the Mayor council forum here. While the Mayor will have executive authority over city businesses, some critical responsibilities will be delegated to a professional city administrator. Portland residents rely on efficient and effective delivery of services and we need a form of government in which professional city administrator can effectively manage the city's bureaus. The administrator will oversee city services such as road maintenance, fire safety, and water services and will be nominated by the Mayor subject to approval by a majority of the city council. Mayor will provide day-to-day supervision of the city administrator. The city administrator will be in charge with a couple of exceptions of hiring, firing, and supervising bureau directors. Political jockeying and improving service delivery. The exceptions that I mentioned are that we have carved out exceptions for the city attorney and chief of police. Those provisions will be nominated by the Mayor subject to approval by city council. The Mayor may also remove the city attorney and the chief of police. The second major proposal is to replace our current at large system with four new geographic districts each represented by three city councillors for an expanded twelve-member council. Council elected to a district must have resided in and been a registered voter in that district for at least a year before the election. The three councillors in each new district will run in the same race at the same time. The Mayor auditor to be elected citywide. Electing multiple councillors per district addresses the fact that it's incredibly difficult for any one individual to represent the diversity of experiences and problems facing the districts. Districts provide better representation of all Portlanders and their concerns. It will also help elected leaders build strong relationships with the communities they represent and more deeply in local community issues, especially as counselors primary offices will be in their districts. Also reduce the significant financial barrier to running for office citywide which tilts the

election towards wealthier candidates supported by financial backers. The city charter. Leaving city Commissioners to set their own salaries and run the budget. Any conflicts of interest, the charter commission proposes an independent salary commission similar to those used in other jurisdictions to set the salaries for elected officials. The five members of the commission will be composed of qualified human resource professionals with experience and cannot be city of Portland employees, e. Salaries will be three years. The district boundaries. The charter commission will not propose a district map. Rather, the districting process will be undertaken by another independent community body with the time and resources necessary to robustly engage Portlanders. In November, we expect the districting process to be immediately. Rapidly diverse and independent commissions by January 31, 2023, will be responsible for preparing and adopting the district map. With your permission, we'll be required to hold a citywide public hearing in its process to engage Portlanders in district criteria and then public hearings in each proposed district before it votes to adopt the district plan. Exceeding state and federal law, the district commission is required to ensure that each district as narrowly as possible is compact meaning no continuums. We need one single piece utilizing political boundaries, keep communities of common interest together. Is connected by transportation links and is importantly of equal population. Of course, the district commission may also consider additional criteria. The final leg or component of this integrative package is electing our city leaders in the ranked choice voting allowing voters to rank candidates in order of their preference. In the example you see here, candidates are being ranked first choice, second choice, third choice, and so on. As many or as few as your preference. You can simply just choose one candidate. If your first choice doesn't win, you have other candidates that your vote can count towards. So if your first place is eliminated, your vote could count for your next choice candidate. This reduces the number of wasted votes. Since voters can see their votes counted for another candidate that represents their values or interests. Voters using rank choice

voting feel like they have more choices. More use of the vote. I know these may feel unusual to Portlanders, but as of November of last year, 43 jurisdictions across the US Used ranked choice voting including Benton county, oregon, and New York City. And I would add 55 jurisdictions will use it in their next election. So it is building a form of voting. In elections for city councillors, the Commissioner proposes proportional ranked choice voting which has been used by Cambridge, Massachusetts since 1941. By Australia for more than a century and by 80 countries including 40 of the 43 countries in Europe. A core benefit of ranked choice voting is that it allows for decisions in one election. To make primaries in the elections. Eliminating primaries ensures that more Portlanders can elect their city council during one election with much higher voter turnout. In average over the past year, 50 years, a third of Portland's registered voters have voted in the primary. We will continue to elect city leaders every two years. All counselors in two districts will be elected in a presidential year and the auditor and all counselors in the other two districts will be elected in mid-term elections coinciding with the oregon governor's race. One final note, hot off the presses, I should add that last night, the Multnomah county charter review committee voted to refer ranked choice voting, so Portland voters will now have two opportunities to choose if they want to adopt this system. I will now gladly turn it back to Commissioner Cruz to outline what happens next.

Cruz: Thank you, Commissioner Billings. So if voters approve the measure in November, the process to implement the will of the voters will be immediately. District based elections using ranked choice voting will be in place by November 2024 elections and Mayor and new city council will enter office on January 1st, 2025, into the new form of government roles and responsibilities. The city will need to develop a detailed transition plan and allocate funds to implement the reforms. The city budget office estimates provided an estimate of the fuss impacts of the proposal to change city government. One-time cost estimates of the transition are approximately \$4 million to \$5.9 million

per year or between 0.6% and 1% of the fiscal 2022-2023 discretionary resources. During the three-year transition period from 2022 to 2025. Annual ongoing costs which began in 2025 after one-time cost and are estimated between \$900,000 and \$8.7 million annually or between 0.1% and 1.4% of the city's general funds discretionary resources. The city has \$617 million in general fund discretionary resources which are funds that can be allocated with few restrictions. Discretionary funds are approximately 10% of the overall city budget. The budget office estimates don't consider any potential cost savings of the reform package that may be achieved through consolidation and streamlining the city's organizational structure and delivery of services. The charter commission recognizes that many Portlanders think the city is on the wrong track and that big changes including structure of city government are needed to ensure our government is more accountable, more transparent and more efficient and effective. More responsive and representative of every area of our city. Thank you. The city attorney's office is responsible for preparing the ballot measure title and explanatory statement. Upon completion of the resolution ballot titled challenge process, the city elections officer files a notice of measure with the county elections officer. Portlanders will vote on the proposal on November 8th, 2022. The charter commission will reconvene tomorrow night to begin our conversations around phase two. Some potential phase two topics include climate and environmental justice, campaign finance reform and governance. Infusing equity and core values into the charter, expanding voter rights. Bureau proposed charter amendments and participatory budgeting. As a reminder, charter Commissioners terms end on December 3rd, 2022, so any agreed to recommendations from phase two will be referred to a 2023 ballot for Portlanders to consider. And, then, finally, I want to thank you all again for the opportunity to share the charter commission's proposal with you. Then, it looks like I'm handing it back.

Wheeler: And, just to be clear, are you handing it back to me?

Cruz: I'm looking here.

Wheeler: I don't want to interrupt.

Cruz: I think I am, Mayor.

Wheeler: Very good. Questions or comments at this time, colleagues? All right. I have a couple of comments. First of all, as a reminder, council has heard this item as an informational presentation. We won't be taking a vote on it. Thank you to the office of management and finance and city attorney team. I want to thank Julia, Sophia, Diana, Shoshana, and Maja for your work on this process. I also want to thank the charter commission co-chairs Melanie Billings-Yeun and Gloria Cruz for sharing this report. I want to express my deep appreciation for all of the time and the work that the charter commission has put into this process. I do have a couple of questions and they're fairly general in nature. I noticed as I was reading through some of the reports and obviously we heard a presentation earlier about this process and what you believed you heard from the public. I noticed that a number of cities that I would consider very successful cities Denver, Boston, Atlanta, and others use a strong Mayor form of government and it's my understanding that was not considered. Can somebody just give me some indication of why that was the case? I assume you heard from the public that was not their interest, but I'm just curious in our words, why that particular model was not considered for the city of Portland.

Billings-Yeun: I can start and maybe if one of our other Commissioners wants to add anything. We were mindful of a couple of things. One, very important one is that back in 2003 and 2007 when Portlanders charter reform at a level -- their largest complaint was that they felt it gave too much power to the Mayor. They felt -- the terminology we saw we read through all of their comments they felt it was a Mayoral power grab. And we consistently heard more support for a more commission-based form of government, but not enough to send us all the way in that direction. More for the commission-based, but people still said they wanted a Mayor they can ultimately hold accountable. And so we thought to find something that would answer both of those needs and we felt by

looking at a strong separation of powers where you have a very legislative element for the council and then a more consecutive management level would answer both of those needs. Any other Commissioners want to add to that?

Candace Avalos: I'll just jump in real quick and maybe Andrew can tag along as well as we were the co-chairs of the form of government. But all options were considered. It wasn't the case with the immediately said -- Mayor. We did all the traditional models. The way -- those models and through the combination of resources and talking with stakeholders and similar cities decided to come to where we ended, but it really was a long process of lots of changing and making sure that what we were proposing was responding to what the community was asking for and so giving the future council the powers they needed to get their job accomplished. We felt it was important for the Mayor to have more executive function because average person they think - Mayor equals they are in charge of everything, but that's not exactly and we wanted to make sure they had a -- and representing all the city's interests and overseeing the bureaus and make some more executive decisions while also having a council that isn't completely diminished of powers, because one concern was that we're looking to increase the size and access to council, but what's the point if you're going to strip the council of their power. We took that seriously to make sure we weren't creating the opposite effect. We didn't want to create too much of a hybrid effect and create confusion. We thought that we created a form of government that had a balance of an executive mayor and a legislative council, and an administrative linchpin in the form of a city manager. We made this decision through lots of communication with stakeholders.

Wheeler: Thank you. My colleagues are asking point of order questions. Do we have public testimony -- this is the Auditor's report, it's been filed as an unusual report -- it's a presentation. I defer to legal counsel.

Wendy Hain: We will be taking public testimony at this time.

Wheeler: I'll stop asking my questions, let's go to public testimony. 3 minutes, name for the record. I have a couple more questions after testimony.

Clerk: Terry Harris

Terry Harris: Hi there, thanks so much for this opportunity. I'm from Hillsdale, I appreciate the opportunity to speak. I know we have limited options, I supplied written materials with my comments. My 3-minute message is that this proposal is half decent, and half terrible. And the commission is looping together everything in one question, my vote would be no. This charter process is like one in Baltimore 20 years ago. Ultimately multi-member districts were repealed by multiple groups there. They were replaced by smaller, single-member districts. There's no need for Portland to re-learn these lessons. Basically this – smaller, single member districts offer clean, simple lines of accountability and there are clear advantages to access, efficiency, responsiveness, and accountable representation. Council members in single member districts can focus on their area. But multi-member districts won't fix it. There will be no single member to call. Each of the districts are as big as Salem or Eugene, and internal political incentives are misaligned. Constituents will have one ranked choice ballot. It makes up-and-down accountability impossible. There is no reason why voters shouldn't have the option to vote yes on these two issues separately.

Clerk: Sol Mora

Sol Mora: I work with the CCC. We have been honored to work along 12 cultural specific community organizations to hear from Portlanders the change they want to see. Portlanders feel the current structure is not responsive to their communities. They are ready for comprehensive change. I testify on behalf of CCC in support of the proposal the charter commission diligently shaped. This proposal works as a whole to create a more responsive, accountable and more representative city government. A council government will create the infrastructure that's necessary for our city government to better respond to community needs. The consistent leadership administrator will

improve the delivery of services long term and will be able to focus on the communities of their districts to solve issues and pass laws lastly, the Mayor elected at large will be able to champion who is accountable for what and will have multiple avenues to make their concerns heard no community is a monolith and this proposes that all voters within each district a tested and a proven voting method that has led to election outcomes more reflective of the people with more women, people of color and others getting elected. This method helps to mitigate splitting and promotes coalition voting among since candidate its benefit from sharing cost voter support. Candidates of like-minded platforms, campaigns are more focused on issues. Rather than being focused on individuals. Across jurisdictions from new York to Utah, voters report they understand choice voting. It's clear that this proposal will have to create a city government that can more responsibly fix the city's challenges and also provide a more reflective outcome in our democracy. Thank you for the opportunity to weigh in.

Wheeler: Thank you.

Clerk: Next up, we have Mike Alfoni

Mike Alfoni: Hello, Mayor and Commissioners. Thank you for allowing public input on this process. I live in northeast Portland and I work in campaigns and government for over two decades. Now I'm the executive director of oregon rank choice voting. We strongly support the well-researched recommendation by the Portland charter view committee. I want to emphasize three specific points. Ranked choice voting is recommended by voters. Especially in jurisdiction. Over 90% of voters find it easy to understand including 92% in Indianapolis and 95% in New York City where it was first implemented for the first time. It is now used at some level in a majority of states in the U.S. For everything from school boards to the U.S. Senate. Exit polls consistently show a massive majority as high as 94% of voters to prefer to take a winner-take-all system. Over 70% of voters say they prefer it. Number three, there is a myth that the proposed system is untested. It's used in multiple countries abroad and six cities in the united

states. In fact, over two dozen municipalities including Cincinnati, Cleveland, Boulder, Sacramento, and New York City use proportional RCB. Proportional RCB kept electing people of color. President Johnson was current Commissioner said at the repeal of proportional RCVs nullifying effect as one of the causes leading to riots in the '60s. To summarize, it's preferred by voters and creates measurably better outcomes. And I'm grateful for your full work on behalf of the city and please let us know if our organization can provide additional assistance research or otherwise. Point in time thank you again for this commission for supporting the recommendation.

Jordan Cole: Hello. An alternative measure voting. About the virtues of multiple resilience per district. Posing I think we can all agree our affiliation when all Portlanders have at the decision seat at the table. Voters feel they don't have a lot of chances to elect a candidate additional communities. Multi-members district ensure they can collaborate and serve the city. This is an example of representative democracy here in Portland

Wheeler: Thank you, Jordan. Appreciate your comments today.

Clerk: Next up we have Isabela Villareal

Wheeler: Hi, Isabela.

Isabel Villareal: Hello. Hi everyone. And good afternoon Commissioner members. I use she/her pronouns and I am the policy communications manager at next up. And next up amplifies the voice and leadership of diverse people to achieve a more diverse and equitable Oregon and we've been around for 20 years doing so. We heard today in support of the charter package reforms and since the fall of 2021, we have been working closely with the coalition to host 3 plus educational workshops and specifically engaging young Black Indigenous and youth of color through this sustained effort and we really heard loud and clear from young Portlanders that they're ready to change our systems of government for geographic representation, for rent choice voting and expanding the council to better represent all communities. And, for too long, we've

really seen the dysfunction of winner take all elections and this reforms package squarely addresses this problem with proportional RCV leaders will share their values and interest citywide. In conclusion, choice voting will help us end winner take all politics and provide for a more representative and reflective and responsive government. We know this is absolutely necessary for an equitable representation for our communities and we're really excited to see this package of reforms. Thank you so much for your time.

Wheeler: Thank you for being here, Isabela.

Clerk: Next up, we have Mark Steven.

Wheeler: Hi, Mark.

Mark Stephan: Hello. Thank you for having me here. My name is Mark Stephan. I'm a political scientist at Washington state university and I'm here to actually talk really about just one thing and that's the really important step the commission made in bringing these recommendations forward as one full proposal. I think this was a critical part of their decision making and I want to explain just briefly why. I'm not sure they would describe it this way. Some of them are here but I ultimately think that they took a systems approach to the senate reforms that need to happen in the city of Portland. And they thought about each of these aspects of this one proposal partly in relationship to each other. So the notion that we could, you know, pull out parts of this, these different aspects of the proposal as if they could go forward without the energy and what's gained from having the other aspects, I think it's faulty logic. Ultimately, this is an important measure because it has all of these working together moving forward to take any of them out is to movement towards better governance more diverse representation in the city of Portland and I think as we go forward in the months ahead, quite honestly, this case will be made to the city, to the citizens and the voters of Portland and I think this will be very persuasive. These are not individual pieces as much as they are interconnected aspects of reform that Portland needs. So I commend the

commission and I hope that the Commissioners, the city Commissioners can support the importance of this being one measure moving forward for the city. Thanks for your time.

Wheeler: Thank you.

Clerk: Next up, we have Robert Weinstein.

Wheeler: Good afternoon, Robert.

Robert Weinstein: My name is Bob Weinstein. Mayor Wheeler and council members thank you for this opportunity to speak to you today. The charter commission is proposing that we go from a government that no one is using to a government that has never been used. In its report to the council, the commission stated from the start, the charter commission has understood that the problems facing Portland are too fundamental and interrelated to be resolved by a patch work of repairs, yet that is exactly what they produced. A patch work of various concepts, a small number of multi-member districts, an even number of seats, a version of ranked choice voting or RCV that takes votes away from candidates and distributes them to others. And to make matters worse, they're lumping their patchwork all of the good, the bad, and the ugly into a single proposal to be put before the voters with no choice forcing people to swallow or reject the whole package. They want ranked choice, but no choice for the voters. The commission report itself is at and a package vote. The cities are all using it very differently than what is proposed here. Generally, instant runoff and single-member districts. The report states that clear ballot the county's voting system is preparing for a 2023 ranked choice voting election in Colorado that's very similar to the charter commission's proposal. Election officials in the two relevant Colorado jurisdictions starting to use RCV next year told me both are using RCV instant runoff one only for the Mayor. Both use dominion not clear ballot. Bottom line, not at all similar to the commission proposal. I believe when the people of Portland see the complexity of what the commission is proposing and they're rightly concerned about the small number of districts, no maps, no accountability, spending \$43 million over three years that can go

to critical service. They will vote no in the proposal. I urge you to place before the voters next year a sensible charter. The role of the Mayor and possibly manager and then fix what they would not such as an odd number of single-member districts with maps published prior to the election. The promise check in balance regarding council law making and provide your constituents, the voters a choice. I have submitted board detail written testimony on these and other points. Thank you.

Wheeler: Thank you.

Clerk: Our last testifier is Jena Kain

Wheeler: Good afternoon, Jena.

Jena Kain Hello. Good afternoon. Thank you so much for the opportunity to give testimony to Portland city council. I'm a community volunteer with 350 PDX, a local 501c3 organization. I wanted to acknowledge the incredible work of the city charters as well as the coalitions of community color for their community engagement work. And responding to the Portland voters on their concerns I strongly support it and moving to a city council form of government with the hiring of the city manager and administrator to manage the city's bureaus. I would also like to see that the multi-member districts are selected through democratic lottery using a policy jury concept. That is something that has been successfully used with the Oregon for citizens initiative review as well as a number of other cities as well as countries. For the public to give input on the decision making process to select these multimember districts. Further more, for phase two of the Commissioner's work the dangerous challenges of climate in phase two is something that I strongly support. Also, establishing a city wide participatory budgeting process and including an environmental rights and responsibilities or agreed amendment for all Portland residents into the city charter. In addition, ensuring that these provisions to be included into the city's charter would provide a mechanism for citizens and their rights to be included in all city making decisions. The commission has demonstrated it has the capacity to take on big issues and come up with thoughtful,

well-considered, and bold solutions. The challenges of the climate and environmental justice requires no less of an effort from phase one into phase two. With your support and decision-making, the city of Portland has the opportunity to join other forward-thinking cities in tackling these enormous challenges comprehensively and as a community instead of burying our heads. Thank you so much for your time today.

Wheeler: Thank you. Appreciate it. And that completes public testimony, is that correct?

Clerk: It does, Mayor.

Wheeler: Very good. And I was asking some questions but I'll defer to my colleagues if they have questions. I'll hold off until the end. Seeing none, I'll go ahead and jump in. Thank you, everybody who testified. That was good testimony and I appreciate it. Commissioner Mapps, you go ahead and I'll follow up. Commissioner Mapps and then Commissioner Ryan.

Mapps: Great. Thank you, Mr. Mayor. I was a little slow with the hand button. I have a couple quick technical questions that I think we can dispense with quickly and I don't know whoever in the charter review commission feels equipped to answer can just jump on in. First, the combination of reforms that the review commission is proposing is unique especially the multi-member districts and the ranked choice voting. I was just wondering if the commission can point us to any other jurisdictions in America or even in the world frankly that use both ranked choice voting and multi-member districts.

Billings-Yeun: Yeah, Cambridge, Massachusetts, and Australia.

Mapps: Does Cambridge use multi-member districts?

Billings-Yeun: Well, they have a single district that's multi-membered. Yes. It is a district with multi-members that are elected by ranked choice voting.

Mapps: How about -- could you -- I used to live adjacent -- I used to live adjacent to Cambridge, so I'm very familiar.

Billings-Yeun: I used to live in Cambridge.

Mapps: Oh, really? I'm a union square guy. I will be back there soon should I ever get to take a vacation which has not happened for years. But, as you know, knowing Cambridge, that is essentially a single political unit. It's a town that uses ranked choice voting which is a dynamic which is what happens when you have let's say four multi-member districts. Is there a place -- is there some place in America or outside of America that uses both the ranked choice system and multimember districts?

Billings-Yeun: There is in Australia. I'm not going to pretend that I'm a big expert on Australia right now although I've looked into it and I'll be happy to give you information on that. I don't know if anyone wants to hear me talking here at length on Australia. I will say there was a report put out by the parliament of Australia saying that this system increased the chances of minor parties and provided no seats for retired members.

Mapps: Okay. Well I'm kind of familiar with the Australia system and they do a lot of innovative things. They make it mandatory to vote.

Billings-Yeun: They've been doing this for over a 100 years now.

Mapps: Okay. I ask as I try to develop this issue --

Raahi Reddy: Can I just jump in one minute. This is Commissioner ready. I think Cornell university published a study in 2021 that laid out the combination of ranked choice voting with multi-member districts actually produces fair outcomes and better outcomes for communities. So I will link that and send that to you so we can take a look.

Mapps: That would be great. I got my PhD in government from Cornell, so I'm sure I know whoever put that prep altogether. I'm just trying to get a sense of actually where this has been tried and where it's been tried, how it actually works, I'd love to see what my colleagues at Cornell have put together. If anyone has any additional information about how the unique combination of multi-member districts and ranked choice voting has worked in Australia that might inform our experience in Portland and with your help, I will figure out -- I'll take a look at Cornell's research. The second question I had is if I understand it correctly, this is going to be a single ballot measure which surprises me for

a couple of reasons. One is I think there's a state law out there that says that basically ballot initiatives should deal with one topic, but when I take a look at the city manager thing, the multi-member district thing, the ranked choice thing, expanding the sides of council thing, those strike me as being really fundamentally different questions. And, I know we had some public testimony about why we put these together, but I'd like to hear some words about why this doesn't, why this isn't four separate votes. It strikes me to be at least consistent with the spirit of the law we would break these out into separate votes for the people of Portland.

Billings-Yeun: Commissioner Uherbelau can you take this one?

Becca Uherbelau: Sure. The conversation we had really kind of fit into three buckets. One was legal which you just referenced, Commissioner Mapps, and in fact there is an abundance of case law what's falling under a unifying principle which all of these reforms do that we're confident that we'd withstand any legal challenge to the title if that was the case. Just recently, the precedent of a case had similar concepts grouped together and I feel like we have confidence to withstand a legal challenge. The second bucket is policy and one of the testifiers mentioned this all together. We have always looked at these reforms as interconnected, in fact, not just interconnected, but interdependent and when we talked about whether or not where there was some legal ambiguity of separating them out, the fact that at least moving to districts and changing the form of government that we would have to include trigger language where one could not exist without the other which would lead to further voter confusion if we were to split them out. So there's absolute policy reason we're proposing them all together because they hang together and they don't exist effective leotards the goals that we set out when we first started separately. And the third is political. You know, we've heard a lot of folks say that their main priority might be changing form of government and I would offer to them that if that is their priority, then they would want us to link it to ranked choice voting and multi-member districts. We've had three separate polls that

have been offered to us that have showed us consistently when you add in ranked choice voting and multi-member districts, it actually bumps up voters propensity to vote for a form of government change. Form of government was polling at 51% on its own and anywhere depending on the research that you look at, it bumps up from 5 to 12 points when you add ranked choice voting and multi-member districts.

Mapps: Okay. Thank you. Let me just do a quick follow-up. I'm not a lawyer so I don't know about how the single subject piece is going to play out but I think I understand the principle and I think you can lawyers your way around that or maybe there are political reasons to not do that. But to me, there seems to be a good government reason just for clarity sake, I don't know. Have you given up on or should we not -- how seriously should we take just the spirit of the law that generally when we send something to the ballot it should be on a single topic?

Uherbelau: My response is that I fundamentally believe that all of these policies are on a general topic which is changing the structure of the city government whether it's elections or form of government, it is both legally defensible under a unifying principle as well as connected to the spirit of the law.

Mapps: Okay. I mean, I understand how they hang together and I'll just say this and I'll lower my hand. You know, let's just say something like city manager and ranked choice voting, both of those exist out there in the political world. So it's possible for these things to exist but it also seems to me as a voter, I can just tell you I have -- I'm differently inclined to vote for a city manager versus ranked choice voting and probably my deepest disappointment here and in general I respect the work you've done. My deepest disappointment with the process and the product we're seeing today is the fact that voters will not have a chance to consider each one of these questions for democracy and make better policy. But that is not my choice. With that, colleagues, I will lower my hand and return to the floor for further conversation.

Wheeler: Thank you, Commissioner Mapps. Commissioner Ryan.

Ryan: I just wanted to make sure we had a meeting where somebody said "please unmute yourself." I did not live in Cambridge, so I want to put that in the record as well. And, also, I just have to say, I've been in bed with covid since Saturday, so it's still out there and I'm really foggy right now, but this is a really important meeting. So I wanted to one, thank you co-chairs for your service and all the Commissioners. You're putting in a lot of time for our city and everyone should understand I'm going to ask I assume you have a dialog to talk about and I think it's just fair for the record to have some transparent dialog in the public record. So a lot of your focus on the reforms is how people get elected and how I can see it. As such, I wanted to highlight something I'm really proud of as a Portlander and that's the good work that's gone on over the past couple years when it comes to campaign finance reform in our city. The open and accountable elections were an amazing start. Including people in the process and then the small donor program took it to another level. I've had the experience of running under both of those and respected and it really has made a difference. So I questioned all of you is when some of this research first began at city club and as it evolved, I don't know if you have the crosswalk overlay of this. So what type of dialog did you have about the importance of the fact that we have these influential progressive initiatives that have been passed, which has definitely improved inclusion of candidates. How did that impact your dialog when it came -- with what you came up with today? I just want to hear a little bit about that.

Billings-Yeun: Commissioner Avalos, do you want to take that one?

Avalos: I will gladly do that. So you're asking a complicated question and I can say that, yes, it took a part, but I wouldn't say that was like the biggest reason we chose to go down the path we did. I think ultimately, the way we were looking at the form of or the city elections reforms was about lowering the barrier for people to have a chance and a shot at getting elected. The campaigns are very transformational in adding capacity for grass roots campaigns to be competitive. At end of the day, they're still competing for

600,000 votes and as somebody who ran under that system and used the elections, if there's a lot more to it than just that. And so having the option to, you know, rank your candidates, having the option to be represented by multiple people, having district representation. All of those things are contributing to lowering the barriers for a more diverse candidate to be represented. So I think that goes hand in hand, but definitely just those reforms were not enough to show or to lower the barriers that are a big issue. One of those are finances and the fact that you have to reach 600,000 voters and you and I both know, it cost a lot of money per voter to reach them. So having just a smaller turf makes a big difference in that front.

Ryan: Thank you. Is there anyone else that wanted to weigh in? It's just a meeting. So here we are. We're having open discussion.

Andrew Speer: I'll just say, Commissioner, I think for what our guiding lights have been is accountability at the center, and so, you know, I think when we think about accountability and outcomes and so when we think about the packages we've proposed, I think having the outcome of participatory government where access to maybe marginalized communities or communities otherwise not part of the process, it was really important and I think that just as like a top level discussion point, that was always consistent through our discussion.

Ryan: Thank you so much. My next question gets to the heart of the matter for me on what I think is more under the iceberg on what's challenging about moving work forward for the good of the people and the city of Portland and that's that we have 23 bureaus and we have a lot of silos and power structures that sometimes just make your head hurt on a good day. And so I just am trying to get to how what you're proposing would allow a city manager to have an agency because anyone I think with any organizational development background would look at the city of Portland and think, this is a great contract because there's a lot of work to do here. It's pretty messy. And a lot of it starts with 23 bureaus. In fact, today's meeting, I had a moment to discover we

had a hydro power -- hydro electric bureau. Who knew. And so there's just a lot of bureaus in the city of Portland and I'm trying to get to how having -- going from five to 13 electives would be efficiency to that equation which I really think is going to take a lot of courage and a lot of effort and will make our city run much more efficiently if we get to the bottom of how to streamline our bureaus. How will this electorate that expands in size be a positive influencer of that?

Billings-Yeun: Commissioners Reddy and Kitchin. I see your heads nodding. Does one of you want to take this?

Reddy: I'm happy to take this, Commissioner ready. I think one of the most important things of this proposal is having a much more coordinated strategy that lives in the office of the Mayor and the city manager who will manage bureaus and I think one of the hopes that we have is when you have a more centralized system of leadership and management of operations, you can actually address some of those silos issues and you could actually address some of the reorganization issues that one has because you don't have city Commissioners managing bureaus. And so, it was a critical factor in making sure that we have a professional coordination and breaking down of silos, but also the political accountability that Portlanders want. Portlanders want political accountability and you all as city Commissioners know that better than anyone and so we are able to weave that thread together and give that city manager the ability to look across the agency, be able to really think about how things work together or don't and have some efficiency and then have the backup of a Mayor who has a vision and a city-wide vision to be able to deliver on that. So we think we've threaded the needle quite well and we're hoping for more efficiencies. We're hoping for more coordination and we're hoping for better policy coming from city councilors spending their time closer to the ground, closer to the people of Portland.

Ryan: Thank you, Commissioner. And I see that Commissioner [indiscernible] , you also made a comment in the chat and I think it's important to say these things out loud

in a meeting like this. That's why we created an executive Mayor. Can you tell me more about the legislative council structure. For some reason, that's not in my brain yet.

Billings-Yeun: If you can just wait a minute. It looked like Commissioner kitchen was about to add something.

Debbie Kitchin: Yeah. I just wanted to support what Commissioner ready said and also just mention that along the lines of the legislative function of the council members since they're not directly managing the bureaus, but they will have special possible committees. We do think there are going to be many cost savings and efficiency savings by having a more coordinated management, so that was a key part of our decision-making in the structure that we proposed. So I just -- those are factors that stood out to me as reasons to support the operation that we're proposing.

Wheeler: I have to jump in here for a moment. Closed captioning is having an issue with YouTube. For those of you watching YouTube. If closed captions are needed, you can go to www.watch.opensignalPDX.org/cable. The team is also working on getting full session posted on YouTube. So, sorry for the technical problems. Sorry to interrupt.

Ryan: That's fine. Thank you, Mayor. This next question, I've been thinking about it for a while. I know you've had conversations about conflict of interest. I know probably everyone in this zoom room has served on the search committees and when you're making the criteria for the position that you're seeking to hire, it's pretty ethics allow you don't allow yourself to be the candidate to receive that job. So what kind of conversations did you have as a commission around conflict of interest, say, if this does pass, is there a conversation that would eliminate those on the commission to run for office in the first round? Just tell me a little bit more about that.

Uherbelau: Go ahead.

Avalos: I was just going to ask maybe if Commissioner Ryan can explain why he believes that's a conflict of interest. I'm not sure what you're asking.

Ryan: Well, I -- yeah. I thought I made it clear. So when I've been involved in any say job, any job search and I'm on a search committee and you're working on the criteria which this really becomes a criteria for how one gets elected, it's pretty standard that you're not, you don't have an opportunity to be a candidate for that position. I've had people ask me there's this dialog and process that you've been through for this and so that's my question. My question is what kind of conversation did you have with the conflict of interest that might be imposed if you're on the exact charter commission that put forth the guidelines on what it -- what the process and what the guidelines are like to run for office and would that put you at an advantage? I'm just asking. Was it a conversation you had as a commission and where did that conversation land?

Billings-Yeun: Commissioner [indiscernible]

Uherbelau: I just want to expand on the conflict of interest, but point out some related things. So we did have extensive conversations around conflict of interest and addressed it in two ways. When we're looking at our conflict, we did have extensive conversations around conflict of interest in two buckets. One is when we're looking at the districting commission. So if you look the at the language proposed in the charter, we wanted to remove all barrier participation so it was open to any and all Portlanders in order to help do the important work of drawing the first lines, but it is not open to city council members or candidates. Again, that same conversation around conflict of interest and conflict of interest is exactly why we put the new language and the charter around this other commission because we wanted to remove any appearance of conflict of interest. So those were the conversations that we had around conflict of interest.

Ryan: So, as it stands now, anyone that served on this charter review commission could run for city council?

Billings-Yeun: Actually, we did have a charter commission member who was running for city council and that was Betty Mesursky and we had a number of conversations over whether that was allowed or not and ultimately speaking to the city attorney. It was

allowed. He was a volunteer member and was allowed to both run and serve on the commission.

Ryan: And that was in this current round. So it's not under the guidelines that we're discussing for this charter. Correct?

Billings-Yeun: Correct. It would be for the current round, but --

Ryan: So perhaps legal would have to weigh in on the question that I'm asking.

Billings-Yeun: Yeah. I think it's a great question and we'll ask it. I'm putting it on the list right now.

Ryan: Yeah. I just didn't want to not ask the question because I had people ask me about it and I didn't know the answer.

Billings-Yeun: I love questions I don't have answers to because we've got to get the answers.

Ryan: That's one reason I'm not an attorney because I often ask questions I don't know the answers to. I'll stop there and maybe we'll do another round. I had maybe one or two other thoughts but they'll probably be asked by my colleagues. Turn it over to Commissioner Rubio.

Wheeler: Commissioner Rubio.

Rubio: Thank you. I first want to thank all the Commissioners and every set of co-chairs that's taken their turn over the course of this work. I can't imagine the countless hours you've put in and I just really want to appreciate the community conversations that you've had on this and all the research. It's very evident the work that you put into this. First, I want to say Commissioner Reddy, thank you for your explanation about how you saw the role of the Mayor and the city manager or administrator, whatever the title's going to be, that makes things clearer to me. And, so, I totally understand and agree about the need for leadership and accountability particularly in that role. My question is about then how -- what is the role or how do you see the Mayor -- what is the inner play between the council and the Mayor's role then? How does the Mayor with their

vision and policy agenda then, how does that integrate with the -- I'm trying to get a picture of how that works together particularly because the Mayor will not have a veto. So what is the lever of interplay there and then I have a couple more questions.

Reddy: You all want me to answer that? Thank you for the question. I think the question that you raised, we've spent a lot of time in animated conversation of playing out scenarios around this, and I think we wanted to keep the relevance of the Mayor of being kind of a leader for the whole city having a platform that they are going to run on and want to implement for them to have the ability to introduce, you know, ideas and policies, and to have a clear power and respect for the council to be the policy makers especially those that are closest to the ground in the communities and in the district. So I think where we thread that needle was the Mayor, of course, being able to introduce policy, being able to also tee up the need to be producing the needs of policy, right. To continue to advance their service delivery and also to have the council be ultimately the votes that matter in terms of passing policy and then happening it to the Mayor and the city administrator. We're looking at a balance of power without restricting the people in the city so that's what we were trying to thread in both of those arenas to make sure as voters select their leaders whether it's in the form of the Mayor and former council members that those values and ideas are rolled up into policy making and effective implementation and accountability at the city level. I don't know if that answers your question and my fellow Commissioners can definitely weigh in on anything I was missed here.

Rubio: That's helpful. And, yeah, I don't know if there's anybody else that wanted to chime in. I'll move on to my next question. So you talked a little bit about phase two. Can you talk a little bit about how you made that decision. What you would in phase two and the second part of that question is have you considered noncitizen voting as a part of phase two and also you referenced climate and environmental justice work as a

topic. So I'm curious to about what kind of things the Commissioners are thinking about that?

Billings-Yeun: Commissioner Castaneda, would you like to talk a little bit about phase two?

Anthony Castaneda: Thank you, Commissioner. And thank you Commissioner Rubio for your question. This is something we've been getting a lot of comments about and so we will be looking at phase two starting this Thursday. I'm not entirely sure as to what the appetite is among the commission since we've been at it for 18 months now. So I imagine we'll be taking on a narrow set of issues if we do take any at all. But that process will begin this Thursday and there's great work being done by the staff now to kind of see where the charter review commission is at now to see what those areas may be and the noncitizen voting specifically is an issue that's been raised multiple times though I can't make any promises as to whether that will be moved to this next phase for potentially next year. Sorry. I keep getting a lot of static in my thing. So it's like messing up my speaking pattern. So yeah, thank you.

Billings-Yeun: Commissioner Rubio, I don't want to stop your questions. I just want to say we have the city attorney Maja to answer one of Commissioner Ryan's questions. So when you're finished, she's here.

Rubio: Okay. I'm done. I just want to know you are talking -- it is something that you've discussed.

Reddy: It's definitely come up one of the high-level interest for our commission. We will be having a meeting, is it tomorrow discussions and Diana Nunez from the city staff having a conversation tomorrow about kind of priorities and focus area since it's from now until the end of December. So many of us are -- I am very excited about this topic as well as our environmental justice kind of focus as well.

Avalos: Commissioner Rubio, just to answer one part of your question, the reason we made this decision to separate is because we felt that the issues we tackled on form of

government and city elections were really foundational to all the other issues we wanted to discuss and so we felt we couldn't move forward on all of those without tackling the elephant in the room and that was such a big lift in itself because we're completely changing the structure. That's why we separated all those other issues to give us time to get the foundational stuff first.

Rubio: Thank you.

Wheeler: Maja, are you a member of the commission?

Billings-Yeun: This is Maja from the city attorney's office.

Wheeler: I'm sorry. Maya. I apologize.

Maja Haium: That's all right. I wanted to briefly weigh in on the conflict of interest question. Member officer the charter commission would have a conflict of interest if they chose to run for office in the future and the answer is no because the legal conflicts of interest are interested in money and financial gain and there's no -- the policy-making that's happening here will be decided by the voters in November and all candidates will have an equal opportunity to understand the rules and participate in elections going forward.

Wheeler: Absolutely. And I would even go further, Maja and say the odds are that you will lose money if you are elected to the Portland City Council. Thank you for that. Commissioner Rubio, were you done with your questions?

Rubio: I am.

Wheeler: I just have a few and I really appreciate this conversation. Thank you all particularly members of the commission for sticking around a little bit longer than I think you probably anticipated in answering some of our questions and, ultimately, this is the decision of the city council. You have voted with your super majority to refer this directly to the residents of the city of Portland. Obviously, you are their body, not our body. So our comments here are truly for informational purposes only as opposed to policy making. I wanted just to sort of continue where I was in my line of questions.

Honestly, these are questions that I'm being asked and I want to be able to speak intelligently. I'm sure you're aware a number of people are saying, well, there are hundreds of cities throughout the United States. There are many that are the same size that have the same issue, the same complexity, the same types of issues that they're wrestling with. Why not use a plug and play form of government? Something that already exists in a city like Atlanta or Denver or Seattle or Boston or somewhere elsewhere they've had decades to live with that model and tweak it and improve it? Why not seek a model like that that is, you know, I guess in government speak, we call that an established best practice. Why not do that instead of taking the risk of proposing something completely new?

Billings-Yeun: I'll take that one.

Wheeler: Thank you. Appreciate it.

Billings-Yeun: And that one is that it's actually not correct that you can find another city that has the same issues. More importantly, you can't find another city with the same population. Portland is unusual for one thing and it's overwhelming whiteness, in the dispersion of the virus minority groups throughout the city. In the dispersal of renters and homeowners. If you look at Boston, they have very distinct ethnic or racial groupings, we do not. We also have in general, a younger population. We have similar but different issues to other cities. So in each case, what we were trying to do was take the best practices of each that dealt with certain issues that were similar to ours without ever assuming that we could take whole cloth. You compared us to Seattle. Well, Seattle has Amazon. It has Boeing. It has Microsoft. Portland doesn't have that kind of money. There's no way you can take one city and say this matches us. But rather, we had to fine tune a proposal that would match us taking into consideration the various challenges and the demographics of our city.

Wheeler: Thank you.

Reddy: Can I just weigh in to follow up on that. I think the other question that we pose for ourselves and I think you as city Commissioners pose this all the time of what models can we look at in terms of progressive and good policy outcomes and cities where we have really the kind of good policies around housing, around the economic addressing economic inequality. And so we even took that angle of like let's look at the cities that have policies that we really like and we talked to organizations that convene city leaders across the country. And everyone said that there is no plug and play model, that there is no one way to get to that shining beacon of a city and, in fact, what you have to do is really look at your demographics, your civic institutions. What do you have to work with to then bolster and improve and grow and I think that connects back to what Melanie is talking about which is how do we build a structure that both addresses kind of the past harms and the problems that we have with the commission form of government and moves us into a much more propelled democratic process where we have more Portlanders who can serve and leave and bring their own kind of issues and local to the ground issues. That's what we did and you can look. All of its public documents especially for city Commissioners to go into our files and look at all of the interviews, all of the discussions we've had, all of the research, and you will find there's no plug and play. And what we tried to do is bring the best of what we can do to fit the conditions that we are today. So I'm very proud of that and I think as city Commissioners, we'd love for you and your staff to join us as we do that deep dive and what we've done and look at all the interviews and you'll find that you will come to the same conclusion.

Wheeler: Thank you, Raahi. And I also since we ask questions we tend to ask questions about things we don't agree with or we don't understand. I want to acknowledge some important steps forward. And, there are two areas where the commission form of government has proven to be problematic from my perspective over decades, not just in the current situation, but over decades. And the first, of course, is the nonsensical aspect

of the commission form of government where you have legislators also serving as executive managers of large, complex organizations and I appreciate the fact that you bifurcated that and put it under a city manager as part of your thinking. I think that makes good sense. I do want -- and I'll look forward to hearing more of the debate around ranked choice voting and the merits or the challenges around four districts versus more districts or multiple people being elected from one district. The area that is of great interest to me gets to the second problem that I see with the commission form of government and it was mentioned earlier that the number one issue that the public had asked to be addressed was around political accountability. And, I really appreciated hearing that called out as a primary concern. And having lived in this form of government as the Mayor in a very weak Mayor form of government and I'm not saying I'm personally a weak link, I'm saying the form of government gives the Mayor very limited authority, I have found that there's a massive disconnect between responsibility and authority. And, it may have worked in the past when Portland was a growing city when there was political consensus, when there was a lot of resources and people coming in to the community, a lot of optimism around the community. I think we can get away with the commission form of government provided we have the right leaders in place and we often did and we should acknowledge that. But now we're in this time where we have an unprecedented number of simultaneous worst case scenario crisis impacting our city. And, the accountability and responsibility piece now becomes more important than ever. And I'll just give you the kinds of conversations I have. I'll be out in the community and somebody will say, I have this problem with my local park. There's a tree down and I need you to fix it. I'm sorry, that's Commissioner Rubio. Or somebody will say there's a parking issue in front of my business, what can you do about it? I'll say that's Commissioner Hardesty or somebody will raise a question about utilities and I'll say that's Commissioner Mapps. And for people who have come to Portland recently from other cities that have more traditional forms of Mayoral leadership, they're

bewildered to hear that answer. So I've watched with great interest the conversation around the role of Mayor vis a vis the legislative body, the city council in particular. And I appreciate the fact that during our work session I did raise and I believe others raised the concern about the lack of a veto, excuse me, the lack of a tie breaker and I appreciate that you as Commissioners heard that and you made that change and I want to acknowledge that and thank you for it. I am still concerned about the lack of veto. And, I'll tell you why. Democracy does not always function smoothly by design. A little bit of messiness in democracy is not a bad thing because what you get in exchange is accountability and you get clear lines of responsibility. My question is under the form of government that you have proposed, I'm not clear that if the Mayor has neither the ability to make decisions about policy or priorities or presumptively budget, and the Mayor does not have the ability to veto a proposal offered up by the city council, how is the Mayor not an employee of the legislative body? And that is a question I'm getting from lots of people.

Billings-Yeun: I'm going to push that one to -- who wants to take this one?

Avalos: Andrew does.

Billings-Yeun: I didn't see Andrew. Thank you, Andrew.

Speer: You know, when I think about it, Mayor, I think to say that the Mayor would be, you know, beholden strictly to the legislative branch I think is somewhat dramatic and somewhat disingenuous. I think the implementation of policy is a huge power unto itself and creates a lot of dynamic to influence how we receive services as Portlanders. And then, the ability to then propose legislation to council. I think we spent a lot of time discussing that fact and the understanding that, you know, both through the administrative roles of bureau directors and the city manager, you're able to really formulate and develop reasonable and digestible policy that would come up to council for a vote. I think one thing we discussed a lot about is the clear separation of powers and being able to ensure that the will of the kind of overarching goals of the city are

achieved as set by council and so that, you know, the Mayor along with the city manager are able to execute on those while also having dialog between council and I think that -- you know --

Wheeler: Let me jump in because you're making a good point, but I want to go in a slightly different direction on it and I appreciate what you're saying. Let me give you an example. And we've run into this in other cities where they do have a strong Mayor form of government. The city council which is very close to the ground and in the case of this model, they're elected in one of four districts would deliberate and pass a policy. They would effectively pass and fund a policy directive which they would then send to the Mayor and then I presume since the Mayor does not have the ability to veto said policy, it is the Mayor's obligation to implement the policy. In other cities, if the Mayor does not support the policy, the Mayor has the ability to veto the city council and they have to stand up in front of god and country and a majority of their city council and give reasons why they do not think it's in the best interest of the city at large to pursue a certain policy and then they're held accountable for that. My concern is in the absence of that tool, who -- where does the buck stop if the council gives for any reason a flawed or a not fully baked proposal to the Mayor and to the city manager and says implement it and then it blows up, couldn't you conceivably get into this finger pointing game where the council says the Mayor and the city manager screwed up the implementation and then the Mayor and the city manager point to the council and say, well, you gave us a dumb, poorly thought out idea. Nobody is ultimately responsible for the implementation of that policy or maybe you can tell me in that scenario who is responsible. Where does the buck stop?

Speer: I mean, I can just give you my personal take. My personal take is that the Mayor is ultimately accountable for executing the direction of council through policy making. That's my take.

Wheeler: And is that the majority opinion? Is that the thinking of your commission?

Speer: That was what we spent a lot of time discussing and a lot of -- yeah, a lot of consensus around that point.

Wheeler: All right.

Speer: I will just say, Mayor, I mean, we can come up with any -- we are at the ninth hour and we're now getting all the feedback from our, you know, various constituents. Some of it was heard today through public comment, you know, who disagrees, agrees and for what reasons and I will just say like, we can shoptalk any of these out to failure and I think that is the great value and benefit of our system in the united states is to be able to have governance discussions and governance grow over time in the needs of the city and we are in that great experiment continually.

Wheeler: I respect your opinion and I appreciate it. I'm going to ask one technical question and then I'll turn it over to Commissioner Ryan and be mindful we've kept you well over the time we promised. Really appreciate it. It's a good conversation. Just a technical question. So based on the time frame that was put in the slide deck. I'm assuming the city Commissioners who were elected in 2022 will serve a two-year term and that everybody runs for re-election, that's correct? Is that your understanding? You don't have to be 100% right today.

Kitchin: No. That is correct. All the positions will be elected, you know, in 2024.

Wheeler: Okay. So just to be clear and transparent and Candace is countering that as well, none of us who are here and currently elected sitting on this council get a pass. All of us would have to run for re-election under the new models. Nobody gets to step right in to the new model. Does that also include the auditor?

Kitchin: Yes. The auditor would run again in 2024 and actually because of this, the cycle would also run again in 2026.

Wheeler: Excellent. Thank you. I appreciate that. Commissioner Ryan.

Ryan: Thank you, Mayor. Thank you everyone for hanging in there and staying with us. This has been a great dialog. I noticed that we have one person here on the call that I

haven't heard from and I know that there were 17 people that approved this. There were three that did not. That's 15%. So we haven't given 0% to the presenters. David, I have a blunt question for you. Why did you vote "no"? Your vote represented the three that vote no.

David Knowles: I guess I can just give you a quick summary of where I came down in this. As you know, I joined the commission in March I think it was. So the bulk of the commission's recommendations have been liberated for months. I think my colleagues worked really hard to come up with a proposal that they thought met the needs of the people of Portland. I disagree. People are really hard looking for change, no question, but I don't think this is the change we need. Just a couple of things, there's a lot of detail I could go into. I do think the Mayor should have been given a veto as part of the recommendation, but my biggest concern has to do with multi-member district and the pretty complicated method for electing those counselors within those districts. This is not something that's been tested in the United States. There's no city that has used this combination of multi-member districts and this form of voting. We didn't have any case studies or examples that told us how it affected accountability, how it affected incumbency and it's just completely untested. So my concern is that we're taking a form of government, unique in the country that we know doesn't work and we're replacing it with a form of government that frankly is an experiment. And, I just think it's too risk at this point in our city's history. Of that's the bottom line for me.

Ryan: Thank you, Commissioner Knowles. I think there were part officer this that were good that you were supportive of and there were parts that were not and I think you made it clear what those are. Is there anyone from the auditor's office? This might be a question for them. Just something I want to put on the public record. If this doesn't pass in November and I'm accepting and I'm going to dig deeper into it myself. I'm learning a lot today which is helpful, but if this doesn't pass in November, we don't have to wait for another -- what would be the process of reloading to do something, to send

something back to the voters? Does the city council have the agency to do that? Will this commission that stays together through December? Does anyone have any insight to that? I don't think the voters want to wait another decade.

Kitchin: No.

Ryan: For the commission to sit around and come back with another proposal. So I just wanted that in public record and Commissioner Kitchin, I can tell you're ready to answer it.

Kitchin: Yes. What is in the charter is that there is a, you know, that the charter commission can be formed, it needs to be formed at least every ten years, but it can be formed more often than that. So that's one possibility. Another possibility is city council can always send things to the ballot. City council has that power to do that and initiatives, you know, through the usual initiative petition process can send things on the charter to the ballot and we have experience in that in the election reforms that have happened in campaign finance. So there are a number of other pathways.

Reddy: Can I just weigh in on one thing? We can always deal in the possibilities of, yes, all of the Commissioners as city Commissioners, you haven't done it up until this time and so the idea of like, okay, this doesn't work and you're going to do something different, I think that's just not realistic. And I think one of the things that we have been told time and time again and by many of you on the city commission is that you really wanted to put the best thinking in the hands of a commission that is going to spend hours and hours of time working and hearing public testimony and engaging community and you invested in community engagement. We heard from the communities of coalition -- the coalition here. I don't know. I think Portlanders are ready for a change and they're ready for some bold action on the part of their city leaders and the public to make a good change and I just think what we risk by not moving forward is to continue along this dysfunctional path that we have been on. I don't think everyday people that work every day that take their kids to school can afford to wait any longer

and I encourage you as city Commissioners, I know you have your various pet peeves on what we've put together, but in the big picture and the grand scheme of things, I think you're going to see we are going to be a better city because of these reforms and I encourage you personally as a Commissioner who's spent lots of hours away from her family to work on this, I encourage you to support and stand with us. I really do. I don't know if we're allowed to say that but I'm going to say it because we have you in our eyes right now. This is good work and I really hope you will help our city move forward by lending your support by these reforms.

Wheeler: All right. Thank you. That's a great place I think for us to draw this to a close. We have done a good job of talking this through today. This is obviously not the end of the conversation. This is very much the beginning that the charter review commission is rereferring this to the voters and they'll be lots of debates and discussion about this in the months ahead. I don't think we're going to solve everything here today. But I really appreciate the work of the commission. I appreciate the work of the city staff that I mentioned earlier that worked to facilitate the conversations. I want to thank my colleagues for their excellent comments. Is there anything else anybody would like to say for the good of the order before we adjourn? Not seeing anything. Thank you everybody. Have a fantastic afternoon on what turned out to be a beautiful day in Portland, Oregon. And we'll see you all soon. You take care. We are adjourned.

At 3:54 p.m., Council recessed.

Closed caption file of Portland City Council meeting

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June 30, 2022 2:00 p.m.

Wheeler: In session of the Portland city council. Please call the roll.

Clerk: [roll call].

Wheeler: We'll now hear from legal counsel and the rules on order and decorum.

Lauren King: Good afternoon. Welcome to the Portland city council. The city council is holding limited hybrid and in-person meeting. If you wish to testify in person you must sign up in advance at www.Portland.gov/council/agenda. You may also sign up for public testimony on resolutions, reports, or first readings of ordinances. In-person testimony may occur from one of several locations in the love joy room in city hall and the Portland building. Written must be addressed to cc@Portland.gov. Your address is not necessary. Please disclose if you're a lobbyist. If you're representing an organization, please identify it. The presiding officer preserves order and decorum so everyone can feel welcomed, comfortable, welcomed and safe. 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. Further disruption may result in being rejected from the meeting. Additionally, council may take a short recess and reconvene virtually.

Wheeler: Thank you for that. Megan, can you please read item 603, an emergency ordinance.

Clerk: Readopt remanded ordinance number 189807 to restrict bulk fossil fuel terminals.

Wheeler: To restrict bulk fossil fuel terminals. We will not be voting on this today. This project is being brought to you by the bureau of planning and sustainability. So I invite Commissioner Rubio to give opening remarks and introduce our staff. Good afternoon, Commissioner. Or Commissioner Mapps.

Mapps: Is this an emergency ordinance?

Wheeler: Yes. But it's also a land use hearing, so we go through a slightly different process. I'll explain all that at the end of the meeting. The important thing for today is we will be taking testimony, but we will not be voting on this today per state land use laws. Commissioner Rubio.

Rubio: Thank you, Mayor. The storage of fossil fuels is a threat to our community. Portland's industrial districts have a high risk in the event of a major earthquake. As we work to make our community safer, the first step is to make sure the addition does not get worse. It increases the risk of the surrounding industrial district for the Willamette River and the city. It has been appealed to the Oregon Land Use Board of Appeals which has sent back the decision to council for additional findings to show it is consistent with our comprehensive plan policies. We have prepared those additional findings and the ordinance is now back before us. Tom Armstrong from BDS will now give us an overview of the ordinance since member two members were on council when the zoning amendments were first adopted in 2019.

Tom Armstrong: Good afternoon, Mayor and Commissioners. I'm Tom Armstrong. I use he/him pronouns and I'm a supervisor planner at the bureau of planning and sustainability and the project manager for this project. I am going to share my screen and have a short slide show for you today to give you an overview of the ordinance. So as Commissioner Rubio said, this is round three for these zoning code amendments. Just to start, I wanted to give some context on how these zoning code amendments fit with

the other fossil fuel initiatives will be before council in the future. The sustainability in addition to working on these zoning code amendments renewable fuel standard that will be coming to you later this fall. But it's important to note we have been coordinating these actions and you will see later in the presentation how we're supporting that transition to a cleaner, renewable fuel in Portland. The renewable fuel standard is not a zoning code standard, it's a separate part of the city code. It regulates renewable fuel contents at Portland gas stations and when we look at where we want to go with that policy, we foresee a need that may require additional tank capacity at our terminals to store the full blends that are needed in Portland to comply with the renewable fuel standard. Therefore, you'll see we have proposed an amendment to make it clear that terminals can add that capacity. We've also seen the land use compatibility that the land bureau service has denied by Zenith terminals. That land use compatibility statement is a city statement that determines compliance with not only our zoning, but our plan policies and it's required by the terminals for the renewal of their DEQ Air quality permit that permit denial is under appeal to the Oregon supreme court and therefore. It's not really impacted by the zoning code amendments and is really on hold as a city decision until the supreme court makes a decision as to whether or not they were going to accept that case. In terms of Portland, we have eleven existing fossil fuel terminals in Portland. They are up and down the Portland harbor along highway 30. Ten of them are what I would call petroleum terminals. They're handle fuel lubricants, asphalt, other petroleum products as well as renewable fuels that come into the region either via the Olympic pipeline from the Puget sound refineries or via barge and ship via the Columbia river and up the Willamette or coming via rail with our rail connections. The eleventh terminal is a northwest natural -- liquid natural gas facility that's used as for peak heating needs in the wintertime and one of the issues that LUBA had remanded the previous ordinance on was more consideration as to how limits on storage tank capacity at northwest natural might impact future needs and we have hired

a consultant, an energy consultant that prepared a memo that's in the record that shows that not only does northwest natural not rely on expansion of the Portland ING Facility to meet future needs, but it also future needs that could be met elsewhere and other available supplies outside of the city of Portland. The reason we are -- the main reason we are here today and wanting to adopt -- readopt these restrictions is because all of these terminals are located in an area that is at high probability and high risk liquefaction and the reason we apply it is because they are in these areas that are red on this map from the oregon department 2012. When city council passed a resolution opposing oil trains. In 2014, we had a proposal from PBEM to create a propane export terminal on the Columbia river. The city opposed that -- deliberated on that proposal and eventually declined to change the zoning code to enable that terminal. At the same time that was going on, we were also developing our climate action plan in 2015. And as a result of that proposal, we developed comprehensive plan policies to limit the fossil fuel infrastructure and storage to what is necessary to serve the region. And i can go into that a little bit here. And, then, coming out of that work in 2016 is the first time we adopted these zoning code amendments. That first round was appealed all the way to the oregon supreme court. We prevailed on most of the legal issues and it was remanded back to the city for additional findings on some of our policies. We did that work again in 2019 and, again, it was appealed to LUBA. And, again, LUBA found there were five or six policies or parts of policies that needed additional information and that's part of this, that supports these amendments again as part of this third round adopting this ordinance. What the code does is define a new land use category called fossil fuel terminals allowing us to regulate where that's allowed, where it's prohibited and we as I explained before we prohibit new fossil fuel terminals, the zones outside of the industrial areas are inappropriate for such a heavy industrial use and our industrial areas are largely covered with these high-risk liquefaction areas. However, in sort of in compliance with the comprehensive plan policies, we designate existing fossil fuel

terminals to become limited uses that maintains their legal standing, they can continue to operate. And the only restriction on their operations through these zoning code amendments is that they cannot add new fossil fuel storage tank capacity. These regulations really are about storage tank capacity. We have a few exceptions to that limit particularly for jet fuel which the future fuel demand forecast shows is the fastest growing component of petroleum transportation fuels for Oregon. And so we've created an exception to that. We've also enabled existing terminals to reconfigure and replace and rebuild their existing tank capacity so they can do seismic updates to those tanks. They can change they just can't exceed the total fossil fuel storage tank capacity that exists out there today under these regulations. As I said, BPS has proposed amendment package number one that has a number of changes to the base ordinance. The base zoning code changes have a few technical changes to then recognize other changes in the zoning code that have taken place since 2019. So it brings it all into conformance, but these next three slides that I'll talk about are sort of the new amendments to the previous ordinance. And I will say these amendments are largely in response to discussions that we had with the terminal operators and their representatives. To add clarity to the regulations to achieve some of our other policy goals. The first one is to the use limitation itself and what you see here highlighted in yellow, we just want to make clear that adding new tank capacity for the exclusive use of renewable fuels or to comply with the city's renewable fuel standard is a lot or not considered increasing capacity at the terminal. The ability to add capacity for renewable fuels was already there in the previous ordinance. You had to combine a few different, interpret a few different phrases in different parts of the code and so we wanted to make this change here to be explicit that that new renewable tank capacity is allowed under this ordinance. The compliance with the renewable fuel standard is a new exception that is in response to both our discussions with the terminal operators as well as other BPS Staff that are working on the update to the renewable fuel standard. The other change that

we did is we split the definition of fossil fuel into two definitions. So previous to this, the definition of fossil fuel included a reference or a definition of renewable fuel. And what we've done here in this ordinance is to split that into two separate clear definitions of both what is a fossil fuel and what is a renewable fuel. Again, to make that clear. And then also in the code commentary, we've made references under the renewable fuel definition to a number of different federal standards that are different formulas that the federal government has designated as being renewable fuel. And we wanted to include those references in the record as sort of future guidance on how to interpret this definition. The final change is to -- the use category description itself and this really is to -- again, to clarify what is a fossil fuel terminal and it really is three components that make up fossil fuel terminal. One is they have to have access -- a transportation access point that's outside the region. So how that fuel comes in or how the fuel goes out, outside of the region, not by truck. So do you have pipeline access. Do you have access to a dock. Do you have access to a rail facility? So that's one criteria. The other criteria is what we call transloading facilities, the pipes and the systems and the offloading racks that enable a terminal to transfer the fuel from one mode of transportation, say rail, to a storage tank and then to another mode of transportation, a pipe out to a dock to a barge. So that's the second characteristic. There are some cases and we end that definition of some fossil fuel terminals right there at regional access and transloading facilities and we created that category because we did not want new terminals that could direct transfer between modes. So think of a long rail car train pulling up to a dock and off-loading their product directly into a ship. Or another example would be a coal terminal. Coal terminals don't have storage tanks. They have a big pile of coal sitting on the ground and so we wanted to make sure no new coal terminals. So that's sort of one category of fossil fuel terminals. The other category is more than 2 million gallons of storage capacity. Most of the terminals, the liquid petroleum terminals we have out in Portland today have between 10 and 60 million gallons of storage capacity.

So this is a low-level of storage to limit the risk of new terminals. So it is feasible that our new business could locate in Portland with all of this, you know, regional access and transloading facilities, multimodal facilities and have 2-million-gallon capacities. That would be a facility with pretty limited risk. I think one of the things that we have looked closely at and there is a memo in the record, has to do with the concern that Portland and Oregon and the Pacific Northwest region that is served by the Portland terminals will need fuel to grow, to grow our economy as our population grows. This graph here comes from the Oregon Department of Energy that shows through the State Board over the last 25 years, 20 years, as we've grown both in population and our economy has grown, our energy consumption has been virtually flat and we can show this with more detail in terms of natural gas, in terms of petroleum products as well. At the same time, the data that is available around total energy consumption or total petroleum consumption, the data doesn't count for the renewable component that has been increasing in our sort of general petroleum consumption. As our motor gasoline has had ethynyl as a renewable fuel added to it, that gets lumped in with the motor gasoline numbers. Same is true for diesel as the renewable content of diesel has increased under the DEQ clean fuels program. That all gets sort of counted as just general fossil diesel consumption. So, you know, we've had flat consumption and within that, there's been an increasing amount of renewables in that overall number. The other thing that we've looked at is the federal forecast out to the year 2050 in terms of what the federal government thinks that we in Oregon and we in the Pacific region expect in terms of future fuel demands and these forecasts. Look at population growth. Look at the economy. Look at fuel efficiency standards. Look at electrical vehicle uptake and what you'll see here is that they're forecasting a decline in gasoline consumption over that period, an increase in jet fuel, pretty flat consumption of distillate fuel oil which is diesel. A small amount of petroleum which is jet fuel. And a small increase in natural gas which our analysis shows does not need to be accommodated with additional storage in

Portland. You know, finally, I will close this presentation with, you know, so far, we have received 86 pieces of written testimony in the map app and there's the website where that testimony can be accessed. We also have a full record of evidence available through the auditor's website that includes all of the background studies that I've referred to here as well as the wide range of studies that we have relied upon to create the findings and support of this ordinance. And that concludes my presentation this afternoon.

Wheeler: Thank you. Commissioner Rubio, I'll do this at your discretion, but I understand you have some amendments that Thomas just outlined. Would you like to put those on the table?

Rubio: Yes. Thanks, Mayor. I move to adopt the BPS Clarifying amendments as shown in exhibit b, the remand reports.

Wheeler: I'll second. We're not going to vote on these. We'll keep the amendments open for public discussion. Colleagues, at this point, before we ask for invited testimony, public testimony, are there any questions for tom? Seeing none. Commissioner Rubio, I understand there's some invited testimony and I'll let you handle that.

Rubio: Great. Thank you, Mayor. I'm now faced to introduce Multnomah county representatives to share about this item.

Commissioner Susheela Jayapal: Good afternoon, Mayor Wheeler and Commissioners. Commissioner Rubio. I am the county Commissioner for district two. I use she/her pronouns and I'm happy to be here with you this afternoon. I testified in support of this ordinance back in December of 2019, so I thank you for persevering in the work to adopt it. Multnomah county, like you has been clear for some time now that our values around safety, health, and the environment compel us to oppose new fossil fuel infrastructure. A resolution adopting oil by rail transport. We adopted that resolution because of the recognition of the risks posed by the oil trains that carry volatile crude oil throughout the county. In 2019, the board of Commissioners adopted a resolution to actively oppose any new or expanded fossil fuel infrastructure. That

resolution recognized the risks posed by the critical energy infrastructure hub. The danger of a Cascadia zone earthquake and the resulting fuel spills from the CEI Hub. Last year, consistent with that resolution, we opposed the application for land use permit. We stated at the time this was a legal fight worth having and we appreciate your willingness to take on that fight. Thanks to a partnership with you, we know even more today about the risks associated with the CEI Hub than we did in 2019. Earlier this year, we released the results of a study jointly funded by the city and the county assessing the impacts of the Cascadia earthquake to the CEI Hub. An earthquake would trigger the oil spill that would immediately threaten human life, safety, physical structures and the environment and would cause longer term pollution and economic disruption. All with a disproportionately to communities of color. The dollar cost was estimated as much as \$2.6 billion. I apologize, if you hear strange noises in the background, that's my dog. Please, just bear with her. The dollar cost as much as \$2.6 billion and the nonmonetizable cost would be much higher. With this clear understanding of the threats posed by fossil fuel infrastructure, expansion of the existing infrastructure poses a great risk. And the risks I mention today don't even begin to account for the overarching and existential threat of climate change caused by the burning fossil fuel. Earlier today, the US Supreme court shortly green house gas emissions. This decision makes crystal clear that federal regulatory is likely to continue to be curtailed making local action on a host of environmental fronts ever more crucial. We have to use all the tools at our disposal to act now, to protect our future minimized by the harms of fossil fuels and transportation. This ordinance is vital to that, would. Thank you for bringing it forward and my colleagues on the Multnomah county board of Commissioners and I stand in full support. Thank you.

Representative Khanh Pham: Good afternoon. Should I go ahead? Good afternoon Mayor Wheeler, Commissioner Rubio, Commissioner Hardesty, Commissioner Mapps, and Ryan. I'm the state representative for oregon health district 46 which represents

southeast Portland including monte villa, lent, the jay district, and north and south Tabor neighborhoods. I apologize, I wanted to say I tested positive for covid earlier this week so I may talk a little slower and may interrupt with coughing, but I'm delighted to be here today and to testify in support of the swift reinstatement of the fossil fuel zoning amendments. When these were passed in 2016, it was the first local law in the nation to restrict fossil fuel expansion. Now, happily, this ordinance has been replicated by a growing number of local governments across the northwest who share Portland's commitment to protect their communities from the public health disaster posed by the continued expansion of the fossil fuel industry. We are simultaneously living in a climate emergency and under the continuous threat of disaster from the expected magnitude 9.0 Cascadia earthquake. At all levels of government, community resiliency and environmental justice must guide every policy decision we make and as my fellow Commissioner pointed out, it's more important than ever that local government takes action. This ordinance is the first necessary step on a path of transition away from fossil fuel dependency and towards protecting communities from the most unimaginable disaster of earthquake striking Portland's infrastructure hub. According to the report, if nothing is done, the earthquake will release an oil spill of the magnitude of the 2009 deep water horizon spill right into the Willamette river. This will cost billions of dollars to clean up. But worst, the spill, the explosion and release of airborne toxins will threaten the lives and well-being of north and northeast Portlanders, communities who already face the highest impact through decades of pollution at the Portland labor super fund site. It will harm Portland's eco systems and the cultural and treaty-resolved resources of six tribal nations with deep connections to the lower Willamette as well as many other tribes and tribal communities across our region. So I am hopeful that this is the first step of many towards greater resilience. In this state, we are working to support Portland's efforts with the passage of sb57 this year, we are requiring terminal owners to prepare seismic glands to create a pathway towards resiliency and transition. In the long run, we

must move away from combustion and towards maximum electrification of buildings and vehicles. For this reason, no exemptions or allowances for the fuel industry should be given regardless of any promises director fit or threats of suit. We are looking to the city of Portland to stand strong and pass this ordinance in the best way possible. Local governments up and down the west coast facing similar risks are looking to Portland for a model that works and strong precedence for the future. Now, more than ever, we've dedicated a bold action to stop this once-in-a-lifetime risk for the good of our entire region. Of thank you so much.

Rubio: That concludes our presentation, Mayor.

Wheeler: Thank you, Commissioner Rubio. Thanks to both of you for being here today and testifying in support. We will now open the floor to public testimony on the fossil fuels terminal zoning amendments and the BPS. Proposed amendments. Testifiers will be called in the order in which they signed up. Each person will have two minutes to testify. Megan, why don't you go ahead and start us off, please.

Clerk: First, we have Jordan Brayster. And I don't think Jordan is on. Next, we have Elijah Cetas.

Elijah Cetas: Good evening Mayors and counselors. My name is Elijah Cetas. I'm a second-year law student at Lewis and Clark. At breach, we partner with communities on the front lines of the climate crisis to advance justice through locally driven campaigns grass roots organizing legal advocacies. This morning, we submitted written comments with our coalition partners representing twelve different organizations and thousands of members in the region to express our support for this passage of this law for the third time. We thank city council and BPS Staff for your steady commitment to protect this historic law and to continue to advance it despite six years of legal challenges from the fossil fuel industry and its allies. As representative Pham and Commissioner Jayapal mentioned, we're living in a critical time. We face the Cascadia earthquake and we're also living in a crisis of governance. This morning the EPA. That the agency is barring

fossil fuel plants and whether we like it or not, it does fall on local governments at this critical moment to regulate the fossil fuel industry in our own backyards. By restricting the continued reckless expansion of this infrastructure, this ordinance is an important exercise of Portland's powers to protect its citizens. We move forward, we urge council to stand strong and pass the law without any exceptions or expansion allowances. And, further, we urge council to amend the resolution to tie the development of renewable fuels to the restriction on expansion so that renewable fuel development replaces existing infrastructure rather than creating additional burdens. So this can be done with future ordinance passage and then finally, we also urge that city council work with the state to advance new building code regulations that would require seismic retro fits of the terminal owners once they've developed those plans in line with the state's legislating. So thank you so much. And yeah.

Wheeler: Thanks.

Clerk: The next three individuals are Suzanna, Sean, and Samantha Hernandez.

Suzanna Kassouf: Okay. Hello everyone. My name is Suzanna Kassouf. I'm a teacher at grant high school. I'm a volunteer at 360 PDX. I'm speaking today because like many of us I'm worried about my future. I'm worried about my students' future. I'm worried about my children's' future and I'm worried about the future of Portland. As other people said today, I woke up this morning to news that the supreme court which less than one week ago had stripped me of my bodily autonomy has blocked climate action by ruling that the EPA cannot regulate carbon emissions. Now, it's up to us. It's more important than ever that our cities take bold steps towards limiting and ultimately dismantling the fossil fuel industry. We cannot allow ourselves to be deceived by green washing campaigns. These corporations will stop at nothing to continue business as usual for their own personal gain even when that business is destroying our hope of a livable future. Now is the time for cities to lead. City council should boldly approve the fossil fuel terminal zoning amendment, but should go further to strengthen the amendments clarifying

potential loopholes and establishing enforcement and safety mechanisms for renewable fuel storage. And ultimately should set a policy of 100% electrification. This is the only way forward to build a safe, healthy, and sustainable community that Portlanders deserve. Please do the right thing. Thank you so much. And thank you to everyone who's spoken today.

Clerk: Next is Sean Looney.

Sean Looney: I don't see myself, but can you hear me? Okay.

Wheeler: Yes. Loud and clear.

Looney: Thank you. I'm Shawn Looney and I've lived in Kenton for 30 years. Linton's a Portland community that has a unique distinction of including upwards of 300 million gallons of combustible fuels most of which are stored in old tanks. 91% of those tanks adhere to no safety standards having been constructed before 1993. As you might guess, I'm testifying in support of amendments banning new or expanded fuel infrastructure. Most residents understand the dangers of living near tank farms. We might even be a bit more prepared than other neighborhoods. We have a river on one side of us and mountains on the other and one main ingress, egress through our community. We are depending on you to help us protect us not only from the very real likelihood of an explosion or fire, but from the daily effects of poor air quality and the pollution caused by off gassing of our fuel tanks and railroad cars. So while the earthquake might take place after we robbery most of us die, the cancer-causing chemicals that we breathe daily might be our undoing. Please, set a policy agenda toward 100% electrification. It is truly the only safe course of action for the environment and for all living things including your neighbors in Linton. Thank you.

Clerk: Samantha Hernandez.

Samantha Hernandez: Good afternoon council. My name is Samantha Hernandez. I'm a climate justice organizer at oregon physicians for responsibility also known as OPSR. We are an organization of health professionals and public health advocates working to

protect human life from the greatest threats to health and survival. I'm here today to voice OPSR's support for the fossil fuel terminal zone amendment. Fossil fuel induced climate change is the greatest threat to the climate and its people. The fossil fuel zone terminal amendment is the first step and faces an impending 9.0 magnitude earthquake. It's an enormous public health threat and will be even more enormous when the Cascadia earthquake occurs. Communities are already experiencing health impacts from living next to the C.I.A. Health and Portland harbor super fund site. The most recent CEI Hub reports that any quality impacts released from the CEI. Hub would only compound existing concerns. Producing several types of air pollutants including volatile compounds and particulate matter. All of these pollutants can have negative effects on human health and quality of life. The fossil fuel terminal zone amendment is needed now. The ongoing impacts and future impacts of living near the CEI Hub need to be prevented as soon as we can. Electrification with no allowances to fossil fuel industries to expand is the only way forward. Thank you, council for your time, energy, attention, and for the opportunity to testify.

Clerk: The next three individuals are Story Schwantes, Lynn Handlin, and Leah Chapman.

Story Schwantes: Hi, Mayor Wheeler and city Commissioners. I'm an air quality scientist living in the northeast. I'm in full support of these amendments. I think they are just common sense. Fossil fuel infrastructure needs to decrease and this is an important part of that process. I'm just going to list off some health impacts that I see and hear about on a daily basis from my work, from fossil fuel infrastructure specifically. Asthma. I have personally known people who have died of asthma attacks. Cancer, all kinds of cancers. Heart disease. General premature death. You know, impacts to nervous system function. Impacts to kidney function. Components like benzene which is something that's off gassed when you see fossil fuel spills like petroleum spills is actually a known carcinogen. Those are just a few of them that I hear about and see regularly. I encourage you to pass these amendments, but also to think further with them and make another

important impact on human health by strengthening seismic -- mandating seismic retrofits in this area and ensuring that we do not see or breathe the fumes from potential disasters and even not disasters. [indiscernible] can cause important health impacting spills. Develop better safety mechanisms as well into this and enforcement mechanisms for fuel storage and I would encourage you to not allow for fossil fuel storage expansion and with the renewable fuel expansion, I'd encourage you to include mandatory reporting requirements. This was previously mentioned, but I think that's a really important element. So there's no fossil fuels that are getting in under the guise of renewable fuels. I think that's an important element of this proposal. To conclude, pass these, make them better, close the loopholes. Make us safer. Thank you very much.

Clerk: Next is lynn handlin.

Lynn Handlin: Hi. My name is lynn handlin and I live and work in outer southeast Portland and I'm happy today that you will be passing the fossil fuel terminal zoning amendments to ban new fossil fuel infrastructures. I thought this was a done deal years ago, but I'm glad it's finally happening in spite of the Portland business alliance and other forces that are focused only on profits and not caring about the health of the community, the city or indeed the planet. Do not let these amendments be weakened. Do not allow PBA's amendments mentioned here today to pass. Do not fall for the bait and switch that renewable fuels are bio diesel present. Currently businesses in the CEI Hub are not required to reveal having using their storage tanks and increasing storage capacity for bio diesel could easily lead to more fossil fuels. Bio diesel and renewable fuels go boom and spew flames and fumes when the quake hits just like fossil fuels, so it doesn't help there. These fuels do not necessarily have a lower carbon footprint than fossil fuels. They often are worse. We need to know more about fossil fuels before we allow this to happen. We as a city must transition away from fossil fuels and renewable bio fuels. Electrification, reducing use through better building codes, transforming our transportation systems and not widen freeways. Pedestrian and bike options are the way

to go. We cannot burn our way out of this problem. With today's appalling supreme court decision gutting federal government's power to do anything about climate, this is more important than ever. It's up to you all. You're our last resort here. We owe it to the Portland community to minimize the extreme seismic risk the CEI Poses and the toxics fumes that are not killing people. We owe it to everyone's children who we share the planet with to do everything possible. These amendments with the addition of putting a hold on bio renewable fuels are an important step in the right direction. Thanks for listening to the community and passing these amendments without PBA's obnoxious additional little points they want in there. Thank you.

Clerk: Next is Leah chapman. I don't lee has joined us. The next three are Janet Weil, Jamie painter, and Nora stern.

Janet Weil: Thanks for the opportunity to testify, Mayor and council. As has already been stated in 2016, the city council passed an historic ordinance to halt new and expanded fossil fuel infrastructure. The need to do this has. This week we're holding events to remember the 96 Oregonians who died in the climate crisis caused heat boom of 2021. We need climate action now and we need a just transition to a clean energy economy. I have to point out that just blocking expansion of fossil fuel infrastructure. In addition, we oppose any infrastructure expansion for so-called renewable or bio fuels until further studies have been done on exactly what fuels are coming in. And as has already been stated, with requirements for reporting to the DEQ these fuels can also explode and burn whether they are low carbon depends on many variables including the feed stocks for the fuels and the carbon intensity of their production. I'm very unhappy to hear from Mr. Armstrong about the carve outs of these unproven fuels. While public comment was not allowed before these were presented, fossil fuel infrastructure is well supported by Portlanders and their elected officials. For public health and safety, the protection of our rivers and forest park and our neighborhoods and the beginning of the end to dangerous fossil fuel infrastructure in our city, we in

extinction rebellion vote minus the ones that have been mentioned have been added by Portland business alliance. I represent extinction rebellion in this matter and myself as a concerned citizen. Thank you.

Clerk: Next is Jamie Painter.

Jamie Painter: Good afternoon Mayor Wheeler and Commissioners. Thank you so much for allowing me the opportunity to testify today. My name's Jamie painter and I've lived in Portland for over 20 years. I'm a proud Portlander and the mom of a 6-year-old Oliver. I'm proud to support the fossil fuel zoning amendments. Today I'm really worried not only about the clear risk of the fossil fuels and their risk of explosion and leaks of toxic chemicals, but also about what we're communicating to our children. As a recent OHA Report outlined, our children are extremely anxious about climate change and the impacts they'll see in their lifetime. Adopting these amendments is a great signal to our children and community that you are listening and taking climate change seriously and that you're committed to taking the necessary step to protect our community in reducing carbon emissions and fighting climate change. I hope you will vote to hold the line and not weaken the amendments in exchange for industry promises or make any allowance for further fossil fuel storage expansion. Fossil fuel terminal owners should retro fit the facilities but should not come at the expense from reckless expansion. I know this has been a very long process and I appreciate your persistence and commitment. Have a great day.

Clerk: Next, we have Nora stern. Doesn't look like Nora has joined us. The next three individuals are Daniel Serres, Margaret Butler, and Michael Fairhurst.

Daniel Serres: Mayor Wheeler, Commissioners and staff -- yes. There we go. Okay. Thank you. Mayor Wheeler, Commissioners, and staff, thank you for taking public comment. I'm Dan Serres and I'm the recreation collector for the Columbia river. After years of fossil fuel industry delays and challenges and many years after the June 2016 oil train derailment and fire that helped to inspire these amendments, the mozure disaster

inspires up and can benefit people all along the Columbia river. June 28th, 2021, Zenith did have oil cars in its loading rack. We joined with a coalition of community groups in submitting written comments in supporting staff research and I want today highlight when considering gas pipeline and storage capacity, the city can recognize a growing body of evidence showing harmful health impacts and the climate impacts of the frack gas industry. To avoid these harms, it's reasonable for the city that frack gas use will decline. According to a report by the regulatory assistance project, efficiencies in technology are constrained demanding for gas. And utilities may be seeking approval for major investments while the size of their customer base is poised to shrink. And, policy makers should start to consider whether broader structural changes are necessary. These amendments take a step towards those structural changes. And in support of these amendments, the city has correctly determined that new gas infrastructure is unnecessary. The city is helping to make a tangible change that can steer our future away from fossil fuel terminals, the risks they introduce. And we support the comments made earlier by the previous commenters. All of them. Thank you.

Clerk: Next. We have Margaret Butler.

Margaret Butler: Thank you Mayor and Commissioners for allowing me to testify. I'm Margaret Butler with Extinction Rebellion. I have three things to say. First, I'm grateful to the city council in 2016 for taking this on and for you all revisiting these amendments based on the understanding that we have to move away from fossil fuels. Every year, things get more dire both in terms of our short timeline, emissions and reductions and as we face the possibility of the earthquake. A city report on what would happen in the event of a projected magnitude 9 earthquake. We need to do more with the zoning amendments we have and are an important tool in moving all fossil fuels towards a more sustainable future. Please do not weaken the amendments because of industry pressure. Second, the fuel exemption is concerning. There are many problems including serious questions about how the measure of bio fuel impact on climate mitigation as bio fuels

move into the marketplace. And, are third, I'm a life long Portlander who's spent 40 years in the labor movement. Have of that as a founder and lead staff of Portland jobs with justice. The last few years before I left in 2013 [indiscernible] that we're bringing proposals to support stopping oil trains and fighting fossil fuel. I felt constrained by the opposition of parts of the labor movement who were vitally concerned about jobs. I regret that i couldn't act more then. Now, I can and so can you and I urge you to act boldly now. We need to think about the workers who would be at ground 0 in the event of a catastrophic earthquake and we need to move quickly to transform our economy including a just transition for fossil fuel workers. The actions we take in the next handful of years are critical. Thank you.

Clerk: Michael Fairhurst

Michael Fairhurst Hello city council members. My name is Mike Fairhurst and I'm a member of extinction rebellion. I'm proud of my city for creating zoning amendments to declare the end of new fossil fuel infrastructure. I'm here today to tell the city to stand firm on this landmark policy. The corporate interests fighting this proposal are behind on the science and want to lock Portland into a future that will deliver destruction and climate chaos. I ask each council member today to stand up to those dangerous corporate interests and instead vote for the public interest. That means no new fossil fuel infrastructure full stop. We also must have a hard conversation about not so renewable fuels. The truth about not so renewable fuels is that their emissions are highly complicated. Their carbon foot print depends on everything over time to their impact on supply chains globally. The biggest risk with bio fuels is indirect land use change. Switching to bio fuels production in one place can result in large green house gas emissions many miles away. For instance in clear cutting local or foreign sequestering forests to grow crops. Bio fuels are no more improvement than clean coal. We should not trust the worst climate villains to build bio capacity next to their storage tanks and declare it renewable. It is urgent that the city issue a moratorium on new bio fuel

infrastructure until the city has held public testimony and developed a third renewable standards model. The end goal must be electrification and bio fuels do not help us get there. For the continuity of the human race. I am here to demand no more fossil fuel infrastructure and no more not so renewable fossil fuel infrastructure. Thank you for letting me testify.

Clerk: The final three testifiers are Devon Lawson, Peter Sallinger and Jan Zuckerman Devon, are you able to unmute?

Devon Lawson-McCourt: Yes. Thank you council. My name is Devon Lawson McCourt. My pronouns are she/him/his and I'm the chair of the oregon high school democrats precinct 759. These amendments are a crucial first step towards preventing devastating effects from the anticipated 9 earthquake which will affect most of oregon. Portland's fossil fuel storage hub presents a catastrophic risk of toxic fumes in the case of the Cascadia earthquake. This is something many of my fellow high school students have taken an action on and something we've learned in our environmental science class which is why we are so adamant about making sure these amendments are passed. Portland's storage hub presents a risk by putting a stop to the careless growth, these amendments are an essential step in safeguarding the health of the Willamette and Columbia rivers. This council ought to adopt a fully electrified policy agenda. This has been made most abundantly obvious to achieve net 0 stable emissions, heating and industrial sectors and they must completely e electrify. Using renewable fuels should help achieve this goal rather than get engine the way. This is my testimony and I sincerely hope that you make the correct decision. Thank you.

Clerk: Next we have Peter Sallinger.

Peter Sallinger: Good afternoon, city council. My name is peter Sallinger. When I was in 8th grade, Mayor Charlie hales along with I and my group at my school were planning on testifying for something called the no new fossil fuel infrastructure solution. So Mayor hales and Commissioner fritz invited me to speak at a press conference they were

holding before the hearing. I could barely see over the microphones, I tried my best to represent the youth of Portland. At the time, I had already been thinking about my future and generations after that. Bypassing these resolutions, Portland is acting as a role model for other cities around the west coast and around the world. If we allow more fossil fuel infrastructure to be put in place, Portlanders will be creating fossil fuel infrastructure that will last for decades. It will expose our neighborhoods to an unhealthy environment and a risk of derailment, leaks and explosions. We'd be adding to a huge danger we face from a major earthquake. I'm now a junior in college, and we are still rehashing the same issue. A few months after the resolution passed in 2016, an oil train derailed in Oregon and in the following years, wild fires have ripped through the gorge. Just today, the superior court. Like it or not, it's clear that cities need to step up and take responsibility for our climate. We don't have any time to spare, in fact, we didn't when I was 13. I will take issue with the renewable exceptions. It's a classic example of green washing. A good example of how one can green wash a similar product is bio mass. Bio mass is technically a renewable fuel. None of us would advocate that we move all of our houses to wood stoves. Not the solution that we all wish they were. However, that said, this legislation is important. Necessary, let's pass it. And continue to fight for our planet. Thank you.

Clerk: Next is Jan Zuckerman.

Jan Zuckerman: Hi. Thank you for hearing and listening to all of us today. I attended a kickoff for the heat week to commemorate dozens of Portlanders who died last year. We need to unify the response to extreme weather by human-induced climate chaos. Mayor Wheeler, you said we should have addressed this 20 years ago. I agree. And the terminal zoning amendments voted in 2016, but here we are again. Each year that passes presents us with greater challenges clearly teaching us we cannot put off tomorrow what we must address today. Enough studies have been done by experts to show that the CEI Hub is a disaster zone. To change the course we're on before it is too late and

we lose more lives. A few days ago, a youth activist shared with me they always thought our city was a leader on climate when we should be setting yearly concrete goals to address the climate crisis. While we can't turn the clock back, we can act now and support the strongest terminal amendments possible. We need to reduce emissions 10% each year and not stand by while Zenith energy moves more crude oil than ever. It will burden us with more dangerous infrastructure that our children will have to clean up while a future Mayor says we should have done something in 2024. Mayor, you said that the weather events have changed our way of thinking. I hope by holding the line and loopholes in the fossil fuel terminal zoning amendments. Thank you very much.

Clerk: And that concludes testimony.

Wheeler: Very good. Thank you everybody who testified. Thank you for your thoughtfulness. That concludes the council's acceptance of oral testimony. Colleagues, any questions at this particular juncture? And, that's not necessary. Today was really to hear the public testimony. The record for written testimony will remain open until 5: 00 p.m. On Thursday, July 7th. Your testimony must be received by the council clerk by 5: 00 p.m. To be included in the formal record. At that time, the record will be closed. Again, that's 5: 00 p.m. On Thursday, July 7th. This ordinance is continued until Thursday, July 21st at 2: 00 p.m. That will be a time certain. When the council reconvenes, we may potentially introduce additional amendments. If at that time the council determines additional public testimony is warranted for any new proposed amendments, council may re-open the record for the limited purpose of testimony on those amendments. And, I believe that concludes our work for today, but i want to make sure with legal counsel that we got everything we needed to get in legally.

Lauren King: Yes. You covered everything. So just to reiterate, the record is open until July 7th at 5: 00 p.m. E-mailing testimony to the council clerk or submitting it through the map app is sufficient.

Wheeler: Perfect. Thank you. Good. Thank you. And thank you everybody who took the time today both invited testimony as well as public testimony. We always appreciate it. With that, colleagues, we are adjourned. Thank you.

At 3:08 p.m., Council adjourned.