



## December 7, 2022 Council Agenda

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

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

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

### Wednesday, December 7, 2022 9:30 am

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**Session Status:** Recessed

**Council in Attendance:** Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Mayor Wheeler presided.

Commissioner Rubio left at 12:07 p.m. and returned at 12:27 p.m.

Officers in attendance: Anne Milligan, Deputy City Attorney; Keelan McClymont, Council Clerk

Item 1023 was pulled from the Consent Agenda and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

Council recessed at 11:03 a.m. and reconvened at 11:12 a.m.

Council recessed at 1:31 p.m.

### Communications

994

[Request of Alan Comnes to address Council regarding waste of city resources and need for sanctioned camps](#)  
(Communication)

**Document number:** 994-2022

**Disposition:** Placed on File

995

[Request of Jason Wilder to address Council regarding Portland Police Bureau and Central City Concern](#)

(Communication)

**Document number:** 995-2022

**Disposition:** Placed on File

996

[Request of Maximilian Dubeer to address Council regarding blocked pedestrian right-of-way](#) (Communication)

**Document number:** 996-2022

**Disposition:** Placed on File

997

[Request of Bert Rogoway to address Council regarding blocked pedestrian right-of-way](#) (Communication)

**Document number:** 997-2022

**Disposition:** Placed on File

998

[Request of Edie Van Ness to address Council regarding blocked pedestrian right-of-way](#) (Communication)

**Document number:** 998-2022

**Disposition:** Placed on File

## Time Certain

999

[Accept Sport Oregon Annual Report for July 1, 2021 to June 30, 2022](#) (Report)

**Document number:** 999-2022

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Management and Finance

**Time certain:** 9:45 am

**Time requested:** 15 minutes

**Disposition:** Accepted

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

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1000

[Create a local improvement district to construct street, sidewalk, and stormwater improvements in the SE 89th Ave and Taylor St Local Improvement District \(Hearing; C-10072\)](#) (Ordinance)

**Document number:** 191117

**Introduced by:** Commissioner Jo Ann Hardesty

**Bureau:** Transportation

**Time certain:** 10:00 am

**Time requested:** 30 minutes (1 of 2)

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

Motion to accept the amended Exhibit G: Moved by Hardesty and seconded by Wheeler. Vote not called. Motion withdrawn.

Motion to amend Ordinance, substitute Exhibit G, and accept Exhibits H & I: Moved by Hardesty and seconded by Wheeler. (Y-5)

Passed to second reading December 14, 2022 at 9:30 a.m. as amended

1001

[Authorize a 5-year deferral of single-family residential assessments in the SE 89th Ave and Taylor St Local Improvement District \(C-10072\)](#) (Ordinance)

**Document number:** 191118

**Introduced by:** Commissioner Jo Ann Hardesty

**Bureau:** Transportation

**Time certain:** 10:00 am

**Time requested:** 30 minutes (2 of 2)

**Disposition:** Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1002

[Add Regulation of Third-Party Food Platforms Code related to permanent limitations on the fees third-party food platforms may charge and the terms they may impose upon restaurants and delivery persons \(add Code Chapter 7.27\)](#) (Ordinance)

**Introduced by:** Mayor Ted Wheeler

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

**Time certain:** 10:30 am

**Time requested:** 30 minutes

**Disposition:** Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

## Consent Agenda

1003

[Reappoint Catherine MacLeod to the Fire and Police Disability and Retirement Board of Trustees for term to expire December 31, 2025](#) (Report)

**Document number:** 1003-2022

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

**Bureau:** Fire and Police Disability and Retirement

**Disposition:** Confirmed

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

1004

[\\*Accept grant for \\$3,800,000 from the Oregon Department of Emergency Management FY 2022 Department of Homeland Security Urban Areas Security Initiative to enhance emergency preparedness through planning, training, and equipping of emergency responders in the Portland urban area](#) (Emergency Ordinance)

**Document number:** 191082

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Emergency Management

**Disposition:** Passed

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

1005

[Adopt the Budget Calendar for FY 2023-24](#) (Resolution)

**Document number:** 37602

**Introduced by:** Mayor Ted Wheeler

**Bureau:** City Budget

**Disposition:** Adopted

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

1006

[\\*Pay settlement of Humberto Gomez Jr bodily injury claim for the sum of \\$15,000 resulting from a motor vehicle collision involving the Portland Police Bureau](#) (Emergency Ordinance)

**Document number:** 191083

**Introduced by:** Mayor Ted Wheeler

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

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1007

[\\*Pay settlement of Dorothy Humphreys property damage and bodily injury claim for the sum of \\$28,413 resulting from a motor vehicle collision involving the Portland Bureau of Transportation](#) (Emergency Ordinance)

**Document number:** 191084

**Introduced by:** Mayor Ted Wheeler

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

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1008

[Accept grant in the amount of \\$1,200,000 and appropriate \\$120,350 for FY 2022-23 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance National Sexual Assault Kit Initiative FY 2022 for Sexual Assault Management System enhancements and deployment](#) (Ordinance)

**Document number:** 191102

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Police

**Disposition:** Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1009

[Declare Trackchair as surplus property and authorize the Portland Police Bureau to proceed with disposal or donation](#) (Ordinance)

**Document number:** 191085

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Police

Second reading agenda item 987.

**Disposition:** Passed

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

1010

[\\*Authorize Bureau of Environmental Services to reimburse property owner at 6600 SE 92nd Ave for sewer user fees in the amount of \\$1,475](#) (Emergency Ordinance)

**Document number:** 191086

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Environmental Services

**Disposition:** Passed

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

1011

[Authorize the Bureau of Environmental Services to acquire certain permanent and temporary property rights necessary for construction of the Columbia Slough Outfall 58 Project through negotiation or the exercise of the City's eminent domain authority](#) (Ordinance)

**Document number:** 191103

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Environmental Services

**Disposition:** Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1012

[Authorize competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the Stark Trunk Rehabilitation Project for an estimated cost of \\$5,266,000](#) (Ordinance)

**Document number:** 191104

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Environmental Services

**Disposition:** Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1013

[Approve findings to authorize an exemption to the competitive bidding requirements and approve use of the alternative contracting method of Construction Manager/General Contractor for the Dam No. 1 Spillway Gates Replacement Project for an estimated amount of \\$2,650,000](#) (Ordinance)

**Document number:** 191105

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Water

**Disposition:** Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1014

[Authorize contract with McMillen, LLC for design services for the Dam 1 Spillway Gates Replacement Project in the amount of \\$1,329,325](#) (Ordinance)

**Document number:** 191106

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Water

**Disposition:** Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1015

[Authorize bid solicitation and contract with the lowest responsive and responsible bidder for construction of the North Schmeer Road East of Whitaker Road Project for an estimated cost of \\$1,386,000](#) (Ordinance)

**Document number:** 191107

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Water

**Disposition:** Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1016

[Authorize bid solicitation and contract with the lowest responsive and responsible bidder for construction of the Road 10 I and J North Fork BR MP 14.44 Project for an estimated cost of \\$1,820,000](#) (Ordinance)

**Document number:** 191108

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Water

**Disposition:** Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1017

[Accept grant for \\$100,000 from Metro and authorize Intergovernmental Agreement for the bulky waste collection activities for single and multifamily properties](#) (Ordinance)

**Document number:** 191109

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Planning and Sustainability

**Disposition:** Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1018

[Accept grant for \\$783,176 from Metro and authorize Intergovernmental Agreement for the per-capita distribution and Business Food Waste Requirement](#) (Ordinance)

**Document number:** 191110

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Planning and Sustainability

**Disposition:** Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1019

[\\*Accept donation of .57 acres of real property on SW Arnold St adjacent to Loll Wildwood Natural Area](#) (Emergency Ordinance)

**Document number:** 191087

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Parks & Recreation

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea



1020

[\\*Amend approved application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for SW Park Avenue Apartments located at 2061 SW Park Ave to increase the number of restricted units \(amend Ordinance No. 190642\)](#) (Emergency Ordinance)

**Document number:** 191088

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Disposition:** Passed

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

1021

[\\*Authorize contract with the lowest responsible bidder for the Brentwood Darlington Transportation Project](#) (Emergency Ordinance)

**Document number:** 191089

**Introduced by:** Commissioner Jo Ann Hardesty

**Bureau:** Transportation

**Disposition:** Passed

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

1022

[\\*Authorize contract with the lowest responsible bidder for the Jade Montavilla Transportation Improvements Project](#) (Emergency Ordinance)

**Document number:** 191090

**Introduced by:** Commissioner Jo Ann Hardesty

**Bureau:** Transportation

**Disposition:** Passed

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

1023

[\\*Authorize Request for Proposal for a Parking Enforcement handheld citation system for the Bureau of Transportation](#) (Emergency Ordinance)

**Document number:** 191099

**Introduced by:** Commissioner Jo Ann Hardesty

**Bureau:** Transportation

**Disposition:** Passed

Agenda item 1023 was pulled from the Consent Agenda for discussion.

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

## Regular Agenda

1024

[\\*Authorize settlement in the matter of 3 Kings Environmental, Inc. claim for the sum of \\$75,000 involving the Portland Bureau of Transportation](#) (Emergency Ordinance)

**Document number:** 191091

**Introduced by:** Mayor Ted Wheeler

**Bureau:** City Attorney

**Time requested:** 10 minutes

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1025

[Accept and appropriate grant in the amount of \\$63,500 from State of Oregon Transportation Safety Office for the English as a Second Language Driver Program and authorize future Transportation Safety Office grant program agreements](#) (Ordinance)

**Document number:** 191092

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Police

Second reading agenda item 990.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1026

[Authorize competitive solicitation and execution of price agreements for staff augmentation to support the Bureau of Environmental Services Capital Improvement Program for an amount not to exceed \\$28 million over five years](#) (Ordinance)

**Document number:** 191093

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Environmental Services

Second reading agenda item 991.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1027

[Authorize the Portland Water Bureau to acquire certain permanent and temporary property rights necessary for construction of the Bull Run Filtration Projects through negotiation or the exercise of the City's Eminent Domain Authority](#) (Ordinance)

**Document number:** 191094

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Water

Second reading agenda item 992.

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1028

[\\*Accept and appropriate grant in the amount of \\$15 million from State of Oregon Department of Administrative Services for design and construction of the North Portland Aquatic Center](#) (Emergency Ordinance)

**Document number:** 191095

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Parks & Recreation

**Time requested:** 20 minutes

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

1029

[\\*Authorize new construction financing for an affordable housing project located at 888 SE Alder St to be developed by Related Northwest & Centro Cultural or affiliate not to exceed \\$30,364,500.](#)(Emergency Ordinance)

**Document number:** 191096

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Time requested:** 15 minutes

**Disposition:** Passed

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

1030

[Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for 23rd & Marshall Apartments located at 1137 NW 23rd Ave.](#)(Ordinance)

**Document number:** 191116

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Time requested:** 15 minutes

**Disposition:** Passed to second reading

Passed to second reading December 14, 2022 at 9:30 a.m.

1031

[\\*Accept and appropriate Staffing for Adequate Fire and Emergency Response Grant from the Department of Homeland Security to fund six Portland Fire & Rescue Firefighters in the amount of \\$2,076,406](#) (Emergency Ordinance)

**Document number:** 191097

**Introduced by:** Commissioner Jo Ann Hardesty

**Bureau:** Portland Fire & Rescue

**Time requested:** 15 minutes

**Disposition:** Passed

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

1032

[\\*Authorize the Bureau of Transportation to acquire certain permanent and temporary property rights necessary for construction of the Jade and Montavilla Multimodal Improvements Project through the exercise of the City's Eminent Domain Authority](#) (Emergency Ordinance)

**Document number:** 191098

**Introduced by:** Commissioner Jo Ann Hardesty

**Bureau:** Transportation

**Time requested:** 10 minutes

**Disposition:** Passed

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

## Wednesday, December 7, 2022 2:00 pm

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**Session Status:** Adjourned

**Council in Attendance:** Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Mayor Wheeler presided.

Commissioner Ryan arrived at 2:04 p.m.

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

Council adjourned at 2:27 p.m.

## Time Certain

1033

[\\*Amend Motor Vehicle Fuels Code to increase the minimum content requirements for biofuels and add a carbon intensity standard to ensure lowest carbon fuels are sold in the City of Portland \(amend Code Chapter 16.60\)](#)

(Emergency Ordinance)

**Document number:** 191100

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Planning and Sustainability

**Time certain:** 2:00 pm

**Time requested:** 1 hour

Previous agenda item 978.

**Disposition:** Passed As Amended

Motion to add an emergency clause to allow the Bureau of Planning and Sustainability to start on implementation, and in particular to get the technical advisory committee up and running to respond to stakeholders' urgency and concerns: Moved by Rubio and seconded by Hardesty. (Y-5)

**Votes:** Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Mayor Ted Wheeler Yea

**Thursday, December 8, 2022 2:00 pm**

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**Session Status:** No session scheduled

**Portland City Council Meeting Speaker List  
December 7, 2022 – 9:30 a.m.**

<b>Name</b>	<b>Agenda Item</b>
Mayor Ted Wheeler	
Keelan McClymont	
Commissioner Mingus Mapps	
Commissioner Carmen Rubio	
Commissioner Dan Ryan	
Commissioner JoAnn Hardesty	
Anne Milligan	
Alan Comnes	994
Jason Wilder	995
Maximilian Dubeer	996
Jim Etzel	999
Nathan Nayman	999
Andrew Aebi	1000, 1001
Tracy Zapf	1000, 1001
Reena Clements	1000, 1001
Sara Buxton	1000, 1001
Andrew Fitzpatrick	1002
Tyler Wallace	1002
Daniel Gold	1002
Greg Astley	1002
Jon Isaacs	1002
Leah Tucker	1002
Anna Powell	1002
Tim Taylor	1002
Mac Mahoney	1024
Robin Johnson Craig	1028
Molly Rogers	1030
Stef Kondor	1029
Matthew Tschabold	1030
Dory Van Bockel	1030
Chief Sara Boone	1031
Kezia Wanner	1031
Chief Ryan Gillespie	1031
Dr. Jon Jui	1031



Isaac McLennan	1031
Jessica Kinard	1031
John Deyo	1032
Dan Layden	1032

**Portland City Council Meeting Speaker List  
December 7, 2022 – 2:00 p.m.**

<b>Name</b>	<b>Agenda Item</b>
Mayor Ted Wheeler	
Keelan McClymont	
Commissioner Mingus Mapps	
Commissioner Carmen Rubio	
Commissioner Dan Ryan	
Commissioner JoAnn Hardesty	
Wendy Hain	
Donnie Oliveira	1033
Andria Jacob	1033

## **Portland City Council Meeting Closed Caption File**

**December 7, 2022 – 9:30 a.m.**

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, motions, and names of speakers are included in the official minutes.

**Speaker:** Please call roll [ calling roll ].

**Speaker:** Now we're going to hear from legal council.

**Speaker:** Welcome to Portland City Council, City Council holding hybrid public meetings and in person attendance in addition to electric attendance. And if you wish to testify you must sign up in advance by visiting council agenda on the web page and may sign up for public testimony on resolutions, reports or first readings ordinances and your testimony should address the matter being considered at the time. When testifying please state your name, your address is not necessary. Please disclose if you're a lobbyist if you're representing an organization please identify it. For testifiers joining virtually please unmute yourself. The presiding officer provides order and decorum and determines the length of testimony. Individuals generally have three minutes to testify. Disruptive conduct such as shouting refusing to conclude testimony had your time is up, or interrupting other testimony or council deliberations will not allowed. If there are disruptions, a warning will be given that further destruction may result in the person being ejected for the meeting. After being ejected a person who fails to leave is subject to arrest for trespass. Council may take a recess and reconvene.

**Speaker:** Mr. Tesler has come forward to serve me. Would anyone else like to serve me before getting to public comment? Nobody else? Very well. We'll first with public comment. 994.

**Speaker:** Request of allen combs to address council regarding waste of city resources and immediate for sanctioned camps.

**Speaker:** Is there a clock somewhere?

**Speaker:** Should be in front of you. It is there.

**Speaker:** We'll get it sorted out. It may not be up. One second.

**Speaker:** On the design?

**Speaker:** Yes. Can you see it?

**Speaker:** Welcome. Now, my name is alan comnes, pronouns he, him, good morning commission thank you for the opportunity to speak. My family and I lived in Portland over 20 years and I'm fortunate to live in Portland and have flexibility to walk with my dog in the neighborhood park when is impacted by unsanctioned camping. I added trash pick up to make the playground suitable for families and children and paths accessible to walkers, Wheelers and runners, park employees did a tremendous job keeping the park clean and accessible but some days they could not keep up. In addition to lots of trash I witnessed significant amounts of graffiti and damage to property. I respected privacy of the campers but with mental health crisis, drug dealing and lots of drug use, meth and opioids I observed a bimodal population, one with high turnover that got services or moved on, and another very intent on staying put. The stay put group returned to the park after every city clearing and several remain camped in or adjacent to the park to this day. Like many I want to lend a compassionate hand but want our public spaces returned to everyone. I support the mayor's five prong approach for addressing housing and addiction crisis and creation of off street sanctioned camps no proposal comes close to provide being services at scale. The supply won't come close to matching demand for years. To offer only the status quo to unsheltered Portlanders is inhumane and denied and diminished access to the rest of

Portlanders is untenable. With my remaining time I'd like to call attention to another area where the city can make rapidly progress to restore access and improve safety. Enforcement of parking laws this the city. One several effects has been cars parking and driving with out plates. Once I started noticing it I found it common place. I trust you can appreciate I received indifference and the current rules may have had their start during pandemic the balance of benefits is different. And I urge the city to enforcing rules of the road and I recognize and to return to spaces to use spaces where everyone can use and enjoy.

**Speaker:** Thank you for support. And number two, with regard to the enforcement of automobiles without license plates and such, Portland police bureau met with them yesterday and doing a number of operations in fact we've started to do operations to identify vehicles that are potentially stolen and hold individuals accountable so just want to you know we're starting to ramp up those efforts.

**Speaker:** There is a seasonal effect. I can't, it's hard to say if but it was wad bad this summer.

**Speaker:** Item 995.

**Speaker:** Request of Jason Wilder to address council regarding Portland police bureau and central city concern.

**Speaker:** Thank you.

**Speaker:** Thank you for being here.

**Speaker:** Good morning ladies and gentlemen my name is Jason Wilder would like to speak to you about accountability issues whether concern and Portland police bureau. And I've experienced an incredible amount of theft and I wanted to ask you if person is unwelcome. Officer Schuman has taken a police report I'm unable to report. I have contacted Commissioner Hardesty to try to clean some idea

of why these continue to happen, or its just me, as a person. And I find that hard to believe. And I have had an iphone stolen an a bike stolen and two sets of head phones stolen and more than \$3,000 of items stolen from my person and I have told officer has left the force and did not file a report z I am now in collections another \$2,000 over something very no control over and I go to police department there no resource, I'm forced to come to City Council and look am I unwelcome in the state of Oregon?

**Speaker:** So no. You're welcome here, you're a resident and we do not want to you leave. I'm not sure of the possess civic circumstances. So I can't answer that. I'm happy to work with you and figure out what did happen and maybe if you can just go to my assistant there and leave contact information we'll get it sorted.

**Speaker:** Thank you. I appreciate your time.

**Speaker:** I appreciate your being here, thank you.

**Speaker:** Next individual 996.

**Speaker:** Request of maximillan duver.

**Speaker:** Hello I was born club footed and had eight operation to straighten it out and lived downtown for most of my life and I experienced all of the problems with the sidewalks being blocked with tents. And mostly, I have had problems within old town I had to take streets and I got hit by a car but it wasn't, it was due to the sun blocking the man's vision. And he crepe my foot. And when he turned he swerved to miss me and ended up fitting my feet and pushed my right foot where I pulled muscles in it so I wasn't injured a lot and I didn't file a claim because he was only 20 years old and drove a truck as a second time job. And so everything was okay. Just took a couple weeks for bruises to heal. And so that one experience I have had and mother one is I wanted to mention is that I have had enough space to get through the sidewalk there was a large tent and apparently it was not enough

room and my one of the spike on one of the tents got caught in my tire and I pull the tent down. That I felt bad so I gave them \$20 of my groceries money and what the only thing I can think of to help them out. Basically that is it. I had my chair repaired after seven months out in the street because of the pot holes bad. I are had unusual experiences with the sidewalks being blocked like their. Okay. I am done.

**Speaker:** Thank you for being here. We have had a group of kids here and they expressed similar egress and I want to assure you you're not alone and resolutions this council passed two weeks ago.

**Speaker:** Nice to see the way the streets have been cleaned up. And the tents have within removed.

**Speaker:** Very happy about that.

**Speaker:** Thank you for being here.

**Speaker:** Next individual please? Item 997.

**Speaker:** Request of burt rogaway regarding blocked pedestrian right of way. They cancelled request.

**Speaker:** Very good. Next individual 998.

**Speaker:** Request of edie van ness to address council regarding blocked pedestrian right of way. They cancelled.

**Speaker:** Let's go to consent. Have any items been pulled off consent?

**Speaker:** One request, item 1023.

**Speaker:** Please call roll on remainder of consent.

**Speaker:** Mapps?

**Speaker:** Aye.

**Speaker:** Rubio?

**Speaker:** Aye.

**Speaker:** Ryan?

**Speaker:** Aye.

**Speaker:** Hardesty?

**Speaker:** Aye.

**Speaker:** Wheeler.

**Speaker:** Aye.

**Speaker:** Adopted and go to first time certain item first time-certain item is item 999.

**Speaker:** Accept sport Oregon annual report of the July 1, 2021.

**Speaker:** This contract provides sports marketing to the city of Portland sport Oregon works tirelessly to attract signature national and international sporting events to the city and these provide exciting entertainment options and raise our city profile and enrich our community and of course they support our local economy. This March, Portland hosted ncaa men's basketball tournament which brought hundreds of thousands of dollars in revenues to the city. And with the hard work of sport Oregon in collaboration with travel Portland rip city management and university of Portland and rose cities secured it's first ever ncaa women's final four. This is a remarkable accomplishment and huge win for the city of Portland. And welcome, jim, it's good to see you good to see you.

**Speaker:** Again.

**Speaker:** Thank you, mayor Wheeler, commissioner hardesty and commissioner Rubio and commissioner Ryan and Mapps. I appreciate the opportunity. I'm glad to be here with my colleague to present a brief overview of our report which we submitted in compliance with our agreement with the city and we're two non-profits supported by community, corporate and individual as well as city of Portland and have a nonprofit 501c3 as well. Looking back on past year we're



excited to share some good news with you. We enjoyed sports tourism rebound year in 2122 which is a critical point of focus for us. We've been success envelope marketing Portland and that significant as it places Portland in a favorable position moving forward. At the same time, it should be emphasized these events promote civic pride and vitality. And that frankly can't be quantified beyond impacts. All of the make holders share credit without these stake holders we won't enjoy the success in our work. Next slide. With support we've been able to add two staff positions and enhance our budget for marketing trade shows which are our places where we recruit events and bids and should note one of the two was filled by a member of the bipoc community. Next slide. I'd like to point out I reported on our dei commitment and gains and continues to be a primary focus for sport Oregon. Our participation and partnered helped us with insights hechful to their efforts as well as our own and able to engage with communities that are often under represented. And mayor Wheeler I'm glad you stole my thunder i'll emphasize shout out for successful bid to be a host of the 2030 division one basketball final four. Portland was awarded with four other cities, columbus, indianapolis, san antonio and dallas were winners and there were seven finalists and it's important to note in spring we've beat out markets like Seattle, san francisco, los angeles and las vegas to be a finalist so. We should be proud about that. This will generate upwards of 30ss million in spring 2030 and will fill every hotel room in the core city as well as bloid district and occupy the convention center and it's important to note our foot print was a difference maker in a lot of ways and had won't are been possible without collaboration of the stake holders and it's important to note this is going to lead to more wins and credibility of us being selected for this is already picked up the pace and so look for more events.

**Speaker:** Thank you, jim and good morning. We're focussed on restaurants, bars

and small businesses and impact for the local community profound and here are examples but first, there are bids that were lost. I'd like to point out is reasons and let's take a look at an example there is always factors we can contend with. Figure skating this is lack of dates and availability. Our bid fell short went to illinois with flexible dates so going at and bid sometimes we are not successful and one other example to warm weather destinations they're looking for. We go out and bid, we have other variables that are out of our control and that the same for national women soccer league game. Time of day was morning which didn't work for players and he wanted to have a grass surface which we don't have at providence park. They chose to go to louisville kentucky. There are bids we to not get. We have had a successful year, 2122. You can he events held here, lots of car racing and major league soccer, each does provide economic impact and in addition we are booked several events this year that we are not yet had so we're looking at securing successful bids which continues momentum continues to be created when going out for additional bids two weeks ago we had the phil night invitational and just a wonderful event. It was pretty formidable.

**Speaker:** 11,000 room mites. Engagement with community --.

**Speaker:** Can I stop and ask.

**Speaker:** When you say 11,000 room nights? What does that mean in english?

**Speaker:** There were 11,700 contracted room nights we're able to track results.

**Speaker:** My question is that does that mean 11,000 room nights x thousand people stayed x number of nights over a short period of time?

**Speaker:** Yes. So over thanksgiving holiday which is a slow for hospitality room nights an pushes occupancy rate high. 30 teams here for each of them for between five an six nights and 24 teams brought significant fan bases now those we're not able to track so.

**Speaker:** Thank you. I wanted to get a sense of people moving about the Portland metro area during that time. I just don't think what does that mean?

**Speaker:** Had you tack teams and multiple mites.

**Speaker:** Lots of free time.

**Speaker:** New, two people came. North carolina fans, say and stayed six nights if I was a fan and stayed maybe eight nights.

**Speaker:** And rooms were not counted in the room count.

**Speaker:** That is great we booked that.

**Speaker:** And what we don't have included is the impact for small businesses I wish we can track that.

**Speaker:** That is information I'm interested in I know that restaurants have a hard time hiring staff and there is reasons for it economically. I would be curious to know what happened on that eastbound. It wonderful to have people in town but if you lack staffing people talk about that. The whole picture would be a if thing to share with the public because I mean every day I hear small businesses saying they're struggling to hire staff.

**Speaker:** There were some that couldn't take the opportunity because they didn't have staff and that was a challenge. Inside of hotels staffing issues amplified themselves and everybody managed through it. Those are things a lot of communities are struggling with. A ceo called with our peer groups and it's the same thing. Major events and lack of work force is it's a challenge nationwide not just our community.

**Speaker:** Help ply other side will do something to fix that. If you don't have good employees you're not going to attract customers.

**Speaker:** Thank you.

**Speaker:** Just to move forward with time we are I want to point out partnerships

we have had where he have a strong relationship with city staff. They've excelled with collaboration based upon the relationships we've create we are biweekly calls initiated to ensure that new clients are satisfied with safety and the efforts have evolve into a stream lined process to ensure we're putting our best foot forward for the city and we have a very good relationship with Washington county. Who they have had events people are staying in Portland hotels an bringing impact to both areas and we've engaged with the process over at expo and we're involved in that process. And efforts expanded greatly and working with internal and external partners to put sports on the fore front of any potential development and that is something that we've focused on engaging with local and often unrepresented community groups and helped support youth training programs designed to help low income an minority youth to improve and expand skills needed to operate successful businesses an play a key role of sneaker week. And the largest partner they have had and that a defacto space, we have formed strong relationships with ex-witty. Last year I spoke about our work on our board and I am proud to say 35% from the board from bipoc communities and we have a very strong female leader contingent including our board president and women in the community. So we're proud that have and that leads into she plies. I hope now that you have heard of she flies supporting and celebrates girls and young women across Oregon. Embracing girls and so, going to share that and just several events to see here. Organizations there is with the she flies program [ loss of audio ] and you can see them here. Often non-profits that don't have fund raising capacity but doing phenomenal work in micro communities throughout Portland and throughout the state. That is it and we appreciate your time and support and happen where he to answer questions you may have.

**Speaker:** It does feel like momentum building doesn't it?

**Speaker:** Yes. Might have a big announcement before the end of the year.

**Speaker:** I love the tease. Yeah. Love it.

**Speaker:** All good.

**Speaker:** Watch for it.

**Speaker:** Perfect. Good. Right. Motion to accept the report.

**Speaker:** We have testimony.

**Speaker:** I forgot to ask. Sorry. Yes. How many people?

**Speaker:** One person.

**Speaker:** Perfect all right? We don't have testimony?

**Speaker:** Motion to accept the report.

**Speaker:** So moved.

**Speaker:** Commissioner hardesty moves.

**Speaker:** Second.

**Speaker:** Any further discussion? Seeing none, please call roll.

**Speaker:** Mapps?

**Speaker:** I'd like to thank jim and nathan for today's presentation and would like to thank sports Oregon for the contributions they make to the city. 9% of the jobs in greater Portland have some question and plays a vital role in promoting sports economy. As Portland entered post pandemic era work being done is more important than ever I'm glad to have this opportunity to thank sports Oregon and for these reasons I vote aye.

**Speaker:** Rubio?

**Speaker:** Thank you if there is a doubt this makes it clear we're a sports town and it only makes sense we're a strong contender for hosting large scale events around the year. And we knee to lien into this and strengthen this and it's worth stating again, and I appreciate that you lifted this up we want to ensure that we're one

welcoming of all people and I appreciate the work in this area we need to show folk what's it means to experience spirit and unwavering support for the community.

For these reasons I vote aye.

**Speaker:** Great report and.

**Speaker:** Okay. That will be fun and accomplished. People know I'm a big sports fan it's been part of mental health therapy. It gives you free license to be a crazy person in public. And who doesn't love that? You get to experience highs and lows and as a duck fan I get lows right now. I have to say I took notes of what caught me. One is just explaining convergence of modus center, convention center and now, hotel and a lot of investment went into that and so is educational to hear getting final four will have band wagon effect which could be teaser and I appreciate your focus on recruitment on the board and I have done that work and it's so worth it and it takes a lot of time. It didn't just happen. And I like you lift women in sports and that is educational. I know nothing about synchronized figure skating but we lost that because of time zones and that does happen. So anyway. It's just educational when you come to give us a better run down of this and it important. I know we have a lot of work to do to keep blazers intact and in town it's with those three there is a panic button that will be a big deal to focus on that. It's great to have your organization strong. Thank you for your leadership. That is a big task. I know you probably steward all 100 of them and I want to end with global community and I have younger nephews and theses and is a robust community and I'm glad we're leaning into that given our site and location with our big industries located there.

**Speaker:** You're looking towards feature if possible. In the city of Portland so I'm grateful for your work. And laughed a little bit when you said 2030 because I thought myself I'm old and will be older, then. And I know is how long it takes to put

these together and I hope as you come back next year that interest there is more of intentionally for those working in those venues because what I know if it is difficult to live in the city today and so thank you for what you do and I'm happy to vote aye.

**Speaker:** Wheeler?

**Speaker:** This is as per usual a great report. I appreciate your support. We.

**Speaker:** Sports industry and spectator sports and the opportunities for this party and someone gets to sell to potential sports events. What is obvious is people are pulling for the city. The recovery has been slower but one area seems to be vibrant is sports events. We're a very attractive option and very noted enthusiasm with which leaders are come to the city of Portland and final four was a huge win now we've got other possibilities lined up as well further increase profile of the city of Portland as a place that is open an welcoming to sporting events we have a good representation around women's sports and seem to be competitive in that space have noticed infrastructure tour making it a live option for sporting events that took a pass and now saying okay. Portland has infrastructure and hotel capacity and weird things happen in terms of recognition. A friend of mine just sent me a photograph from europe and shirts that a Portland on them are hot in certain parts of europe. I don't know why. What caused that? But we're still and recently ranked 8th most liveable city in the united states best new restaurant is gregory gorday's restaurant khan and we've been named best culture of restaurants, hotels are really incredible and unique, top notch hotels getting a lot of attention and we're identified as number one vegan restaurant city either in the united states or world. I don't remember which. I think if you're, if you're vegan either is probably a good thing and we're number one living destination for again z. Everybody knows we have had a tough go of it. And when it gets to your discs you've delivered and I just want to acknowledge how much work and travel everything that you do. I want to

give a shout out to the state of Oregon they've gone through a comprehensive remodelling of the airport and it is still under way. It is going to be a global show piece when it is done and is note worthy to me and are going into Portland international airport be the gate way to the city of Portland is going to be a very, very impressive first impression for the city. And I didn't want to overlook that. And thanks we'll see you next week. Appreciate it. 11,001 please read together.

**Speaker:** Create a local improvement district to construct street, sidewalk improvements in southeast 89th avenue and taylor street local improvement district and 1001 authorize a five year deferral in the southeast 89th avenue and taylor street district.

**Speaker:** These are both nonemergency ordinances first readings commissioner hardesty.

**Speaker:** This up with thousand for the year.

**Speaker:** Does that mean we have had 1,000 of pieces of legislation.

**Speaker:** What this is number?

**Speaker:** 1000 and 1001 creating a lid on southeast.

**Speaker:** I'm going to have andrew save me while I go and find notes. And drew you start and i'll close out. Thank you. Good morning.

**Speaker:** Thank you. And morning I'm andrew abby administrator and I do want to shout out to out of respect for time I know we have had a long discussion so I do not have a presentation I appreciate working with property owners and hearing their stories and I have had positive conversations with the lid and I want council to know I don't me sure whether or not we do it or don't do it I wanted to get that out there. I just wanted to say this is where the rubber hits the road in terms of whether we're going to do something or not do something and so I hope council supportive of us having a conversation about whether or not we should do this



project and I didn't think it would be respectful if just went and never had a conversation with them about whether we use streets.

**Speaker:** You gave me time and I appreciate that. Good pitch hitting. The reason this is proposed is because we're excited being able to build a new park this a neighborhood who needs parks and green spaces and in that neighborhood we don't have good sidewalks and street lights and I want to applaud Andrew. And my time with him I have found him to be a problem solver. And so in this case we have a community who homeowners are concerned about being responsible and as a city we put it on the backs of homeowners to fix inequities the city built in and in this case I appreciated community being clear this would be devastating for them and so, good news, bad news. This absolutely where rubber meets the road it's sad there not another venue to make this happen so I know Andrew spent time with offices and staffs and I want to appreciate his work to continue to work with the community to come back with proposal in front of you today. It's not what we want to do. We want to make sure kids and neighborhoods had amenities we'll turn it over to you and I think as you said we've spent time about this lid and proposal today is the best we can do.

**Speaker:** Thank you. I'm going to walk through four options and then turn it over to them and then so first option voting no on lid. And under that scenario, and by the way to vote no on item 1,000 so I won't recommend that option because it would slow down the development of a park and that is pro criticism and invested time and so best option to be not proposed for amendments had front of you so I won't recommend that option and then briefly, without charging property owners anything we just wanted to be clear that since it's funding you don't have to walk to see streets improved under that was approved, approved under lid I don't think we're going to have a pot of gold at the end of the rainbow and moat that we've

called to question a building lid and built lid for economically vulnerable people and have paved four miles of streets and build eight miles of sidewalk. I could do not recommend this and I are to say I admire this group of property owners using resourceful people had are just.

**Speaker:** I quietly making a living. Price point was not malicious and based on the fact this year, we closed out mother lid 13 block as way. We have had assessments in those price points and I don't have a price point but I thought given this other lid had a similar price point it's reasonable to ask weather to price level works for this neighborhood and so I do not recommend awe prove this without amendments that we've talked about October 12th. Option three. Vote e and what those amendments would do is remove all of the residential property from this in between two park frontages and it would be absurd to have that gap in the middle so I request council adopt package that woo keep that property in lid. I want to be clear as you walk west [ inaudible ].

**Speaker:** Okay. Andrew? Go ahead? Andrew. Can you hear me?

**Speaker:** Commissioner Mapps can you hear? Us? Nobody can hear us?

**Speaker:** Andrew can you hear us?

**Speaker:** I can hear you, thank you.

**Speaker:** I can hear everybody, too.

**Speaker:** Good.

**Speaker:** Sorry about that. We're all set.

**Speaker:** That property owner had and kind of finalizing and what I would be happy too do is the follow up to notifications and if there any issue with that property owner being included in lid I'm happy to flag that at second reading next week. I don't anticipate there being a problem.

**Speaker:** Okay. Thank you. I will make sure they didn't miss. That my issues thank

you and if finally forth option if you he a theme is we're actually interested in this lid. I understand that funding source has in the been identified but I just we're in the there right now that. Concludes my explanation so I recommend option lee and perhaps we can have a motion to adopt those and open it up for testimony. Thank you.

**Speaker:** Thank you. Commissioner Ryan?

**Speaker:** I know that there has been testimony coming into council and so.

**Speaker:** Thank you. You're delivering what property owners asking for.

**Speaker:** So. It my, see to you can confirm this for me. There is a proposed amendment to exhibit g, h, and i. Is that accurate?

**Speaker:** That.

**Speaker:** Yes. That is a good question. Let me explain what happens so we keep originals in had the ordinance because I thought it's important to show we offer this to the community and you're adopting apportionment work sheet. What the amendments do is that they're to lid as amended. That is what is there and we're replacing exhibit g. I have to file under lid code and so I just need an example to all of the ten would be that are incorporated.

**Speaker:** I move we accept b.

**Speaker:** Thank you. You can tell by questioning I have, there is no concern about improvements. It was I was asking for information more detailed information on those that would have their expenses go up. And i'll be an advocate for seniors being able to age in place. That is what I was getting at and so listening to presentations I was tracking it. I think we're missing wish walls today. I heard you talked with people impacted by this and that there just one person is holding out. I was confused about one property owner. I just need to know about what your point was.

**Speaker:** I don't and have not spoken to all property owners and to amendments so I am what this amendments do remove all of the residential property except for 20 southeast and to make a notation those amounts being reduced to 0 so if anyone else their property between now and closed out I do want to layer fi had I'm asking to move is staff memo that moves staff memo data.

**Speaker:** Okay. You had me when you explained it succinctly just prior to that. I'm going to go with that information and thank you for being responsive.

**Speaker:** Commissioner Mapps?

**Speaker:** Thank you. Yeah. I was just going to seek clarity and act amendment moving forward. Commissioner hardesty talked about exhibits to change and andrew talked about option three and my understanding is that option three gets all of the residents who live on 89th and takes them out of having to pay for this lid and this on southeast taylor we'll have parks. One resident will participate is that correct, andrew? Is that what you're asking for.

**Speaker:** You have a 99% and what I failed to mention but will mention now amendment removed two properties on the western half of the block and to make it clear they'd be removed as well.

**Speaker:** As long as very the floor if you dig deep there language there that districts bes and p got to explore building a lid that be active in ordinance?

**Speaker:** In. One thing in the amendment is to nullify but I didn't see the point of having to push that forward to plug and play second feature so that is part of your package of amendments in December 5th staff memo.

**Speaker:** So we're doing a lid to fix the sidewalk and it's a partnership between parks.

**Speaker:** Correct. I just want to point that out. If I get different feed back, I will be reaching out and then, you know, we can make one more amendment to ordinance

next week and slap an emergency clause on it. I tout we'll go there. I've been wrong from and not shy about.

**Speaker:** Thank you. I wanted, I up port when this comes to a vote i'll support the amendments and want to thank andrew for his good work.

**Speaker:** Thank you. I want to thank andrew for work on this and answering our questions and I want to follow up to last conversation about looking at different bring down costs. Can we look, I can assume answer but would love some context and information that parks was a partner did we look at other places before this to and you know p got as proposed could have invested I'm doing numbers in my head. So would have water bureau would have had a smaller contribution so next logical place would be to bes that would have been the logical lace. I would say to and I wanted to make it clear what this does is a staff to build the street improvements along with the park so we want one contractor to go out and build the street and sooner you can pass this is what I want to make clear is something else were to arrive down the line in terms of tacking on to this lid I have had situations in the past where we've amended and that type of thing of I want to be clear. The director is not to go explore another lid but just saying if something came to pass you can inform me to do something different. If there another discussion.

**Speaker:** Do we are public testimony on this item?

**Speaker:** Yes. We have three people, four people signed up. First up is tracy. Zebb.

**Speaker:** Thank you. Three minutes and name for the record, please bobby. Did you need something? Bobby? Did you need something? No? Okay. Go ahead tracy, thanks.

**Speaker:** Yes. Good morning City Council members as you know when the project first presented to myself and neighbors we're shocked by cost and lack of

communication and holding October City Council meeting my neighbors and I reached out to Andrew to see if any compromise could be reached. And unfortunately proposed costs are beyond what any of us do. Almost all of the homeowners in this group are either first time home buyers retire folks or families with small children. \$24,000 is not the amount of money we've we're pleased to share after hours of back and forth conversation with Andrew [ loss of audio ].

**Speaker:** Charge does not make work for this from other similar lids we did see a cost that doesn't overburden us. If you do not support amendments we, neighbors don't support the project as originally proposed due to high cost as stated and request you provide extra funding to make it a project we'd support. We hope council will vote with amendments since this something that would work for the neighborhood and happy to see it through thank you.

**Speaker:** Thank you.

**Speaker:** Next up we have Brian Vance and Sarah Bunchton.

**Speaker:** Good morning.

**Speaker:** If morning. Sarah Buxton here.

**Speaker:** I don't live in this lid but this decision impacts more than just these property owners but our entire community because of the location as a walking route to Clark Elementary and access point to park. Now, I recognize it is easy and but feels unfair to our community that 15 property owners get to decide something that impacts us all if this is how sidewalks get built then I don't know how to square these two things but since you're on City Council I'm not and I am going to ask you five to share my neighbor abilities and my community need for sidewalks. Andrew outlined ideas for continuing 89th improvements. If you vote yes to build I might get a chance to be in a lid down the road. And to connect to the sidewalks that are proposed more. If these sidewalks are not built, I don't get that

opportunity this, decision impacts me, though I don't get a say in it. And I assure you we're not flushed with cash. My husband is the only income earner and makes \$42,000 a year for our family of six. Plus, two geriatric dogs. Vet bills. We understand regardless of sidewalks our property taxes will be going up because our property value going up with things like park improvements. I would not hope for the neighborhood to be stagnant so I don't have to pay more taxes. If taxes are going up anyway we might as well get sidewalks out of the deal. There are ways my family pinches pennies to save but investment in sidewalks isn't the place to do that across the street my 90-year-old and her care taker her 70-year-old daughter lived there since 1990. The either time they're out walking to get to their car on my right by neighbor does not drive and so is forced to walk and does so with a baby stroller to increase as she walks in the street. And I love the community and do I what I can to help care for these neighbors' properties including landscaping. And they deserve the right to safely take a walk in the neighborhood. I support because I care about climate action. Sidewalks increase foot traffic and get cars off the road and I live 0.5 miles from our current elementary school. Yet my unfortunate reality is that it is easier and safer for me to fire up my van's exhaust pipe and drive my four kids to school to drop off my oldest. This shouldn't be my desire to walk. But most days it is too much to navigate the lack of infrastructure and uncut curbs trying to keep my kids with special needs which includes our city most vulnerable kids in foster care, safe. There are many things I help to pass to my kids but the lack of walkability for people with different abilities including neighbors in wheelchairs and safety for neighborhood kids just trying to get to the park or school are not two of them. Please, help, how is there not new funding for this? We need sidewalks.

**Speaker:** Thank you.

**Speaker:** He's gone.

**Speaker:** See what I mean? They're quick.

**Speaker:** We have a runner!.

**Speaker:** Thank you.

**Speaker:** Thank you.

**Speaker:** That is it.

**Speaker:** That completes -- sorry. I was going to feel sorry for whoever has to follow you. It's just as well. Thank you for being here. So colleagues at this point, Keelan my understanding is that we need clarification? Is that correct?

**Speaker:** Yes. I recommend a motion to accept the amended ordinance amended exhibit g and add h and I to the record for this ordinance.

**Speaker:** Sorry. Say that to me one more time? What would you like a motion for?

**Speaker:** Yes. A motion to accept amended ordinance, amended exhibit g and add h and I to the record. For this ordinance.

**Speaker:** I make a motion, mayor that, we accept the amendment to the ordinance. We accept amendment to exhibit g. And i.

**Speaker:** H and i.

**Speaker:** To jump in here, in staff memo there are minor amendments like posting dates and mailing dates. I need council to move that with everything else to make sure all are incorporated.

**Speaker:** I apologize for confusion, colleagues and yesterday on the peach in maui I was thinking about sun and fun. My apologies if it feels we're disconnected today. From the realities of passing laws..

**Speaker:** I think that is the best excuse I have heard in a long time! To be sure!.

**Speaker:** So I will take a moment to pause and make sure that the only additional thing I need to add to my motion, the only additional thing I need to add would be the staff memo.



**Speaker:** So staff memo not a piece of legislation to be voted on. You want additional information that you think only contained within staff memo to be moved forward, it needs to be added to one of the ordinance amendments or one of the exhibits. It's not exhibit or ordinance itself.

**Speaker:** Andrew if we move as I recommended, do we have time to make sure of those any additional language that we can get that corrected? Some in time for the second reading next week?

**Speaker:** Yes.

**Speaker:** Commissioner Hardesty, there is already an amendment on the table.

**Speaker:** J. Hardesty: I will withdraw my first amendment.

**Speaker:** So we've withdrawn the first amendment without objection. Andrew, I understand you'll a comeback next week on second reading with a clarified amendment and we will a put in an emergency clause on the same motion as amended at that time, is that your intention?

**Speaker:** What I will do is carefully review what gets posted on the agenda next week. Let me come in for 15 seconds and if it's amended properly, i'll tell that you and we'll get on with business. If there is anything that needs to be tweaked with amendments or on Taylor Street, I will advise the council and you can add an emergency clause. But I'm 99% sure what you're he doing today will take care of everything and be short and sweet next week.

**Speaker:** But we're not voting on the amendment today is my understanding.

**Speaker:** We're going to vote --

**Speaker:** What I'm asking you to is move the amendments and vote on them today so they get posted next week.

**Speaker:** I want to make sure we understand the language because I'm hearing I believe three separate things. Legal council, please restate what the amendment on

the table is.

**Speaker:** The recommended amendment presented today in our proposed amendments to ordinance 1000 was to do a -- a strike out substitute exhibit g and new exhibit h and new exhibit a i.

**Speaker:** I see thumbs up. That's the amendment that is currently on the table. Any further discussion on the amendment?

**Speaker:** Commissioner Ryan -- commissioner Mapps, I see you have your hand up too. Commissioner Ryan first.

**Speaker:** D. Ryan: with the people who testified today in support of the amendment also agree with what was said. What they're voting on is what they testified on.

**Speaker:** Yes.

**Speaker:** D. Ryan: andrew, would you say that's true?

**Speaker:** Yes, I read the part that came into council and reviewed all the amendments posted on line and we support them. I'm always careful for speaking about property owners, but the record is clear there are quite a few property owners that are supportive.

**Speaker:** Okay.

**Speaker:** Mayor Wheeler: commissioner Mapps.

**Speaker:** Let's vote.

**Speaker:** Mayor Wheeler: please call the roll.

**Speaker:** I'll need to step away for a few minutes but I vote yes.

**Speaker:** Commissioner Mapps, this is it to vote on the amendment.

**Speaker:** Mayor Wheeler: yes.

**Speaker:** Rubio.

**Speaker:** Aye.

**Speaker:** Ryan.

**Speaker:** Thank you Andrew for reaching out to the people who testified. And our office was right there with them and I really feel like you've been responsive. It's been tricky to track everything this morning and I look forward to seeing all of the good work and I vote aye on this amendment.

**Speaker:** Hardesty.

**Speaker:** Andrew, thank you so much for your work on this, I know this was a hard one and not there are any easy l.i.d.s that come our way but this was hard and challenging. I'm happy to vote aye on the amendments.

**Speaker:** Wheeler.

**Speaker:** Mayor Wheeler: thank you, Andrew, thanks to everybody who testified today as well. I vote aye. The amendment is adopted. Item 1000 is. Moves to second reading as amended. 1001 is also a non-emergency ordinance and moves to second reading. Next item is --

**Speaker:** Did we vote on them together?

**Speaker:** Mayor Wheeler: no not today.

**Speaker:** J. Hardesty: can we take a break as per commissioner Ryan?

**Speaker:** As per commissioner Ryan. [laughter]

**Speaker:** Mayor Wheeler: we'll take a five-minute recess per commissioner Ryan and reconvene at -- it's 11:03. We'll reconvene at 11:10. We're in recess.

**Speaker:** Mayor Wheeler: next item is 1002 and this is also a non-emergency ordinance.

**Speaker:** Regulation of third party food platforms code limited to permanent limitations for the main charge and the terms they may impose upon restaurants and delivery persons.

**Speaker:** Mayor Wheeler: this is the first reading of a non-emergency ordinance

that regulate third-party food platforms operating within the city of Portland and to protect local restaurants as well as food carts. Following the creation of a temporary commission cap in July of 2020 and the more recent extension of the caps until February of 2023, the ordinance in front of us today represents a fair and equitable compromise and a strong set of protections that will permanently and sustainably support our local restaurants and food carts. This is the result of seven months of stakeholder engagement listening and incorporating feedback from all sides of what is a complicated issue. To aid in this conversation, we've had a number of my team and representatives of the bureau of revenue with us this morning. I'll turn it over to Andrew Fitzpatrick who is a member of my staff and will share more on the rationale of this policy and the engagement process that led us here. Good morning.

**Speaker:** Thank you for your time. For the record I'm Andrew Fitzpatrick and director of economic development in the mayor's office. Restaurants and food carts experienced significant economic hardship during the pandemic and many became to rely on third-party food platforms like DoorDash and GrubHub and Uber Eats. To protect them from high commissions charged by platforms for delivery and pick-up orders, City Council acted decisively in July of 2020 to regulate the fees and cap them and extended the cap in June of this year until February 2023. The ordinance before you today would ensure that all Portland restaurants and food carts are able to access affordable delivery and pick-up services from third party food platforms on a permanent basis from March 2023 going forward. It would require that delivery services are accessed at 15% commission or less and takeout orders at 4% commission or less of an order's purchase price. A restaurant may elect to purchase additional services above the commission levels for other platform services like marketing or promotion. However, the third party platform may not

refuse to provide delivery and takeout services for a restaurant that elects to select only services at the capped rates. These would take effect in March of 2023 providing on going certainty for local restaurants in the transition to a permanent policy. As they continue to recover from the disruptions of the pandemic. This is to avoid extra customer fees or restrict delivery radii. Restaurants may grow their sales through the services provided that adequate safeguards exist. And this includes protections for Portland restaurants to prevent their menus from being used on line in an unauthorized manner. It would prohibit the charging of extra fees that restaurants have not voluntarily agreed to pay. This aligns with what san francisco and Seattle adopted earlier this year. To develop this ordinance, as the mayor mentioned, we engage with business associations, trade groups, individual companies and other stakeholders in Portland to address their needs and craft language that all parties could accept and support. I want to especially appreciate the city attorney's office for their work on this issue and for all the restaurants and food carts at that took time out of their schedules to thoughtfully engage in this process. This is an important policy to empower our restaurants and food carts and I thank you for your time and consideration.

**Speaker:** We'll now here from the bureau of revenue.

**Speaker:** Good morning, mayor and commissioner. Can you hear me?

**Speaker:** Yes.

**Speaker:** I'm tyler wallace with the revenue division. With me is cynthia to help me. Revenue division has been administering the fee cap regulations on third-party platforms since the temporary ordinance was extended in June of 2022. Enforcement has been complaint-driven. There is a web page set up for complaints and provides contact information for the program. Under this ordinance, revenue will receive complaints of alleged violations from restaurants and delivery drivers.

We'll conduct investigations to determine if there has been a violation of the provisions in code section 7.27. This code section gives revenue the administrative authority to require records and issue administrative subpoena of records if needed in order to conduct the investigations. If it is determined that a violation has occurred, this code section gives revenue the authority to issue penalties up to 1,000-dollar per restaurant per day and require restitution. This gives revenue the authority to develop rules to further define and detail a penalty structure.

Third-party platforms may appeal these determinations to the revenue director and a final determination will be issued in 60 days. With that, i'll stop and we are available for any questions that come up on program enforcement.

**Speaker:** Mayor Wheeler: thank you tyler. And that completes your presentation? Any questions at this point before public testimony? How many folks do we have signed up?

**Speaker:** Looks like we have six people signed up.

**Speaker:** Mayor Wheeler: very good. Three minutes each.

**Speaker:** First up greg ashley. Looks like they may not have joined us. Let's go to daniel gold.

**Speaker:** Mayor Wheeler: good morning, daniel.

**Speaker:** Daniel, you're muted.

**Speaker:** Can you hear me now?

**Speaker:** Mayor Wheeler: loud and clear.

**Speaker:** I'm in the back of our shop right now. I prepare a few remarks and I'm going to read them from the top. Hello council and thank you for your time today. I'm daniel gold and my wife and I opened a small bakery and sandwich shop during the pandemic. I would like to thank the better business and andrew fitzpatrick for everything he's done -- andrew fitzpatrick on everything he's done. I think this

ordinance is a great improvement from where we began but there is one major exception and that is number 15. Substituting the 15% commission cap for the initial 0% commission cap but because of unprecedented work by doordash. They were the single biggest lobbyist this sum inner-city hall and they had a corrupting effect on the current proposal. The difference between number 10 and 15 because sounds like five digits but represents a 50s more -- 50% increase on all carts across the city. Increasing the cap by 50% will add additional operating expenses to our small business community with two effects. It's going to first, higher prices will be passed on to the end consumer which means more expensive food for all of us. Second, businesses that will either fail or destined to fail based on a rigged landscape that they're operating in. Higher food prices and failures of small business. During a time of unprecedented high food prices, out of control inflation, corporate greed, corporate profit taking passed off as inflation, City Council consciously choosing to vote on this ordinance at the 15% rate adds to the problem and is bad policy. Thankfully we have a system of checks and balances in the form of you and your votes. Doordash and their allies say they can't operate below that number and all of the rationales are deceitful and to dishonor. They currently operate with all major restaurants paying less than 10% commission and they still maintain additional revenue opportunities outside of the base commission rate like selling entranced marketing packages. If there is legal risk to take breaking stride with other larger cities, bring it, it's a fight worth fighting for our small businesses. I urge to think twice before voting on this ordinance with the current proposed 15% commission. It's simple to amend the number back to 10% and would make a difference for our small business community.

**Speaker:** Up is greg.

**Speaker:** Welcome, greg.

**Speaker:** Thank you, mayor. Can you hear me?

**Speaker:** Mayor Wheeler: yup, loud and clear.

**Speaker:** I'm the director of government affairs for the restaurant lobbies association. We represent 10,000 food service establishments here across the state and in Portland. I am grateful to give me testimony today. As the mayor mentioned earlier today in the meeting, prior to the pandemic Portland was a global destination for people who wanted great food and unique experiences. Over three years restaurants have gone through hardships. The global pandemic resulted in forced shutdowns by the governor and uncertainty related to product availability and staffing and the general cost of doing business. Operators were trying to navigate local, state and many federal programs to stay afloat. Portland issued a cap on third party delivery fees as it became parent for many food service operators to survive was through delivery of their food for people who were unable to venture out and sit at a restaurant. That cap was a lifeline for many restaurants during a difficult time. It allowed them to hang on and pay their employees and keep their doors open. Currently proposed permanent cap at 15% represents what we believe is a fair and equitable approach to regulating the commissions in a way that not only protects Portland restaurants during the on-going economic recovery, but sets high standards for those good service platforms to continue to operate in Portland. The work done to arrive at the language was six months of open dialogue and input from a multitude of stakeholders. I would like to thank Andrew Fitzpatrick for his efforts. Incorporating the approaches taken in Seattle and San Francisco and learning from the challenges they experienced, this proposal provides transparency to the consumer as it relate to pricing and who is charging them, predictability for restaurants and accountability for the platforms working with the restaurants. Clear and consistent enforcement mechanism allows restaurants to seek compensation if



rules are not followed without forcing them to navigate a complicated process. I believe this proposal will help in on-going efforts to bring back Portland's reputation as a foodie destination and everyone are welcome and can be successful. Thank you for supporting item 1002.

**Speaker:** Mayor Wheeler: thank you. Appreciate it.

**Speaker:** Clerk: next up is John Isaacs.

**Speaker:** Mayor Wheeler: welcome.

**Speaker:** Good morning, Mayor. Mayor, Wheeler and city commissioners I'm with the business alliance. The alliance is made up of three independent organizations, Greater Portland Chamber of Commerce and Partners of Diversity. I'm here on behalf of the Greater Portland Chamber of Commerce. This is a large business organization in the Pacific Northwest. We have different perspectives and positions with hundreds of restaurants as members, this is one of the issues. Additionally we have a close partnership with the Oregon Restaurant and Lodging Association and their members took some of the biggest hits during the pandemic. Recovery is still far off. Condemn delivery apps were a lifeline for restaurants. I'm here today not to support or oppose the ordinance but to say thank you to the Mayor's office and Andrew Fitzpatrick who led one of the fairest policy processes that I've been a part of. When we learned the city was considering a cap on food and delivery apps, we have a request to work with all stakeholders to make sure we have a balanced solution. If this marketplace is to thrive, it must work for the app companies and food restaurants and customers. I participated in many of the stakeholder sessions and I can say under Mr. Fitzpatrick's guidance there was clear dialogue. It was made where there was agreement and not. Mr. Fitzpatrick did not try to recreate the wheel. He used policies from other cities and built upon those to craft something we hope will work for Portland. What we have before you is an ordinance we

believe is balanced. Our request today is that the city continue to monitor this policy on an annual basis at a minimum. Capping food delivery fees will result in higher prices for customers. We've seen cost of living rise and it will result in lower demand. It may harm the restaurant industry. Please do not pass this today and put it on the shelf. Stay engaged with the impact of businesses and trade associations and be willing to make adjustments necessary for Portland.

**Speaker:** Mayor Wheeler: thanks for being here.

**Speaker:** Next up we have Leah Trucker.

**Speaker:** Mayor Wheeler: welcome, Leah.

**Speaker:** Good morning, I'm Leah. Thank you Mayor Wheeler and the council for having us here today. I'm with the Oregon mobile food association. I represent mobile food throughout the state. I appreciate the opportunity to speak to you today on behalf of the mobile food industry. The last few years had a major impact on every industry in the city of Portland as a whole but specifically our robust inventory took a hit. The state of Oregon had emergency caps on the industry to help stem account decline of small businesses and help them to continue to provide food services to our communities even during our lockdowns. As we intend to rebuild and climb back, it is increasingly important to continue to support the small businesses as they will be -- as they have always been the building blocks on which Portland's unique food scene will recover. We can agree that ensuring the growth of our Portland restaurants is a vital part of Portland recovery. This will ordinance will ensure that small businesses are not taken advantage of by third party corporations as we attempt to recover. In doing so, we can ensure not only the continued growth but with the work we've done to create a balanced and fair ordinance that both the restaurants and delivery services continue to have their place within the Portland market. I would like to strongly encourage the passage of

this ordinance and help us rebuild confidence and strength to our famous food scene here in Portland. Ensuring the ability for restaurants to hire the staff regarding the sports Oregon presentation, it's critical that these small and in our case micro-businesses are not being disproportionately harmed by exorbitant fees that doesn't have our best interest of our community simply because they know we have to have their services at this point to ensure continued connection to our consumers who are still heavily impacted by covid and other various economic and health issues impacting the communities right now. To the point that was just made, the higher prices to consumers is not necessarily an outcome in this particular ordinance as we've seen doordash specifically has adjusted their pricing scales to meet what we're requiring within the ordinance. They have not had to raise prices to consumers. I believe that this ordinance meets not only the needs of the restaurant businesses, but also has had precedent within these third party apps operations already. Thank you so much for your time.

**Speaker:** Mayor Wheeler: thank you and appreciate your testimony.

**Speaker:** Next we have anna powell.

**Speaker:** Mayor Wheeler: hi anna.

**Speaker:** Anna, you are muted. Go ahead anna. If you hit \*6 on your phone, that should unmute you.

**Speaker:** Can you hear me now?

**Speaker:** Mayor Wheeler: yes.

**Speaker:** Thanks so much. Hello. I'm anna powell, the manager of government relations for doordash in the northwest. Thank you for your time this morning and for the opportunity to speak about price control legislation before you today. Doordash enables local businesses to meet customers needs and this turn generate new ways for people to earn, work and live. By building -- infrastructure

for local commerce we grow and empower the local economy. Last year doordash drove \$25 billion in sales for our marketplace merchants. 75% of restaurants agree that doordash has allowed them to reach new customers. 69% of restaurants say they have acquired new dine-in customers through doordash. 65% of restaurants say they were able to increase their profits during covid-19 because of doordash. The odds of staying open during covid-19 were eight times more likely for restaurants on doordash. While we appreciate the thoughtful stakeholder process from mayor Wheeler, doordash is opposed to all permanent price controls legislation because they are unnecessary and unconstitutional. Doordash offer 15% pricing plan. Not just in Portland but across the country. Restaurants even have the flexibility to change their plan and move between the tiers, we implemented this back in April of 2021. We ask the Portland City Council not work on a solution already available for restaurants but towards a solution that addresses other challenges faced by restaurants to ensure they have a variety of options to power delivery and grow their business without harming customers and delivery drivers.

**Speaker:** Mayor Wheeler: thank you anna. Appreciate it.

**Speaker:** Our last testifier is tim taylor.

**Speaker:** Mayor Wheeler: welcome, tim. Good to see you in -- in-person.

**Speaker:** Good morning mayor and councilmembers. I'm tim taylor the owner of sport bites. We are a restaurant catering service in Portland and work with local restaurants to cater private events only in Portland. I would like to ask this ordinance to be modified for those that work with restaurants. I received a letter saying we were in violation of the ordinance and I believe my small catering service should be excluded. We offer local food. We partner with restaurants, agree on pricing that works for them, giving them full control of what they charge and offer their food to our clients. We develop pricing and food that work well for everyone

involved. They do not download an app or items but submit an order request through our website. We have account managers that put proposals together featuring local restaurants to meet their necessary dietary requirements. Once a meal is selected, we send it to the restaurant to accept or make any changes they would like to make. We then take care of delivery and set up on day of the meal. No meals are served in the same day they are ordered. Everyone has multiple days or weeks of notice. I understand where the legislation comes from. It attempts to limit the amount that third-party delivery companies can take from Portland restaurants and help our local food partners survive. The way this is written, it will affect my small local business and my restaurants that I partner with whom you hope to protect. For nine years I worked 1-on-1 with owners of Portland restaurants on catering orders. Many orders they would not have the ability to fulfill on their own without my company because they don't have equipment or admin to deal with it. These are group orders and provide the restaurants with meaningful additional revenue usually before they even open their doors for lunch service. We have a three dollar minimum and our orders usually far exceed that price. I'll adjourn ahead. My business operates in an industry within margins. If this legislation is passed as stated, it will limit my business' ability to provide these orders to restaurants and may result in the eventual closure of my business. I hope you'll have stipulation to can exclude situations like mine where a local catering company is partnering with local restaurants. The original legislation defined third-party food delivery platform as any website, mobile application or other services that offer or arrange for the sale of food and beverages for same-day delivery or same-day pick up of orders. The council should add clarifying language to make sure companies like mine are excluded from its application.

**Speaker:** Mayor Wheeler: i'll get to commissioner hardesty, why don't you give a

brief pitch to your business. What does sports bites do?

**Speaker:** We save mainly office managers and people ordering catering for their office a lot of time by handling the orders for them. We work with over 50 restaurants in town and develop menus that work well on a catering setting and we handle all of the ordering for somebody who would normally have to call around to different restaurants and pick up the food on their own and we're talking about 150 to 200 people worth of food. Everything you can expect from a traditional catering company but we don't make any food. The food is made by a local restaurant or a combination of local restaurants. Anyone who is listening can go to [sportbites.com](http://sportbites.com) and learn about our service.

**Speaker:** Commissioner Hardesty.

**Speaker:** J. Hardesty: that was a good sales pitch. As you were talking I thought this does not address people who are catering. This is really a very specific narrow -- but then you said you were given notice that you were out of compliance with this ordinance?

**Speaker:** Uh-huh.

**Speaker:** From whom?

**Speaker:** I received a letter I believe last week.

**Speaker:** J. Hardesty: but who?

**Speaker:** City revenue.

**Speaker:** J. Hardesty: so they're telling you you're out of compliance when nothing that you said today would lead me to believe who is covered by this ordinance.

**Speaker:** I would agree with that.

**Speaker:** J. Hardesty: I know you would. [laughter] we have consensus there. But you know, as someone who has been a lawmaker for a lot of years, I know that

language matters. And so, I would not have imagined that someone whose business is as you describe it would be captured under this ordinance. I agree that we need to have clarifying language because like bike delivery services like that I think of, we're going to make them like -- are we going to make them pay extra money because of this ordinance? I do think it's important that words matter. If there is -- what I know about writing law in Oregon, if there is not a clear exemption, you will be called up in this so I agree with this gentleman. The intent clearly was not to have a business like yours or other type of food service type businesses. You are a lifesaver for an office manager. I would have you on speed dial if that's the kind of business I did. I appreciate being here and being so succinct about the issues and how it impacts your business, so thank you.

**Speaker:** Thanks for your time.

**Speaker:** Mayor Wheeler: thank you. Andrew, I don't know if you know the answer to that question specifically related could catering. I realize we're not taking a vote today. If we don't have a clear answer today, we don't need it today.

**Speaker:** I haven't seen a letter sent [indiscernible] it would be under the existing temporary cap.

**Speaker:** Mayor Wheeler: can you come to the mic? Can you just say that again.

**Speaker:** I wasn't aware of the specific situation, but I agree with commission Hardesty and others that we should think through the language to make sure it's clear who is captured and who is not. Anything that was sent to him from the bureau of revenue who is on now would be under the existing temporary caps that go through February. Obviously what we're considering today has not been adopted. I don't know if that language does capture him or not, but going forward, we should make sure we reconcile.

**Speaker:** I think we'd all like to see that clarification. I agree with my deletion the intent of this ordinance is not to capture catering services doing direct business. Tyler may have something to contribute here as well. Tyler.

**Speaker:** Yes, thank you. I was going to say what Andrew said. The ordinance being administered currently is the temporary ordinance. The code section in exhibit A before council today has a definition of delivery service. That's something that revenue would look at along with our city attorneys to determine who met the definition of who will be a delivery service and who isn't in administering this ordinance in the future.

**Speaker:** Mayor Wheeler: so Tyler, you'll look at that between now and the second reading and give us clarification?

**Speaker:** I can do that, mayor.

**Speaker:** Mayor Wheeler: thanks and I know how to reach Andrew. I know where he lives. Colleagues, any further questions before I move this to second? Seeing none, this the first reading of non-emergency ordinance moves to second reading. [gavel] thank you for your testimony. We'll move to the regular agenda. Item number 1024.

**Speaker:** Authorize settlement in the matter of 3 Kings Environmental, Inc. Claim for the sum of \$75,000 involving the Portland Bureau of Transportation.

**Speaker:** Mayor Wheeler: Max Mahoney is here.

**Speaker:** I'm with the city attorney's office. This dispute arose out of contract 3,000 of 623 for the truck strategy phase 2 project and considered pedestrian upgrades. During that project, two pedestrian accidents occurred and the contractor changed traffic sequencing in an attempt to better protect the public. After the project was completed, PBOT and the contractor considered the costs and the contractor filed a claim for additional compensation of approximately \$200,000.



Through remediation. The parties were able to settle for \$75,000 to fully resolve all of the contractor as claims and the city attorney's office recommends City Council's approval of this settlement. Thank you.

**Speaker:** Mayor Wheeler: any questions? Commissioner Hardesty? Do we have public testimony on this item?

**Speaker:** No one signed up.

**Speaker:** Mayor Wheeler: call the roll.

**Speaker:** Mapps.

**Speaker:** Aye.

**Speaker:** Rubio.

**Speaker:** Aye.

**Speaker:** Hardesty.

**Speaker:** Aye.

**Speaker:** Wheeler.

**Speaker:** Aye. That's adopted. This is a second reading of a non-emergency ordinance.

**Speaker:** Accept and appropriate grant of \$63,000 for the transportation safety office for English as a second language driver program and authorize safety office grant program agreements.

**Speaker:** This is the second reading. We've heard experiential had an opportunity for public testimony. Any further business on this item? Call the roll.

**Speaker:** Mapps. This a great program, aye.

**Speaker:** Rube we.

**Speaker:** This is an essential program. I'm glad to see the multi-lingual capacity building here and I hope that PPD will work with community organizations that serve the on -- populations. I vote aye.

**Speaker:** Ryan.

**Speaker:** Aye.

**Speaker:** Wheeler.

**Speaker:** I appreciated the presentation last week. Captain Abraham testified on the positive outcomes. The grant helps provide drivers education by teaching driving skills as well as laws and languages other than English. This helps improve safety for everyone. I'm pleased to help secure funding for this initiative and I vote aye. 1026.

**Speaker:** Authorize competitive solicitation for staff augmentation to support the bureau of capital improvement program for an amount not to exceed \$28 million over five years.

**Speaker:** Mayor Wheeler: second reading any further discussion? Call the roll.

**Speaker:** Mapps.

**Speaker:** Colleagues, I'm particularly proud of this ordinance. With this vote we make a significant improvement to the critical infrastructure. Thanks to visionary collaboration between our labor partner we're able to save ratepayers millions of dollars even while we build the city of the future. For these reasons and more, I vote aye.

**Speaker:** Rubio.

**Speaker:** Aye.

**Speaker:** Ryan.

**Speaker:** Aye.

**Speaker:** Hardesty.

**Speaker:** Aye.

**Speaker:** Wheeler.

**Speaker:** Aye. That is documented. 1027, a second reading.

**Speaker:** Authorize the Portland water bureau to acquire certain permanent and temporary property rights for the bull run filtration projects through negotiation or the exercise of eminent domain authority.

**Speaker:** Mayor Wheeler: any further business? Seeing none, call the roll.

**Speaker:** Mapps -- you are muted.

**Speaker:** M. Mapps: thank you for the heads up. Let me say a couple of words on this one. Colleagues, I want to thank the staff at the water bureau for their work on this project and I want to thank everyone who testified on this item. And finally, I want to reassure stakeholders that the water bureau will work closely and collaboratively with you to make sure that this water filtration plant makes sure we have clean water while we preserve the character of the spaces adjacent to the facility. For these reasons and more, I vote aye.

**Speaker:** Rubio.

**Speaker:** Aye.

**Speaker:** Ryan aye.

**Speaker:** Hardesty.

**Speaker:** Aye.

**Speaker:** Wheeler.

**Speaker:** Aye. Ordinance is adopted. 1028, this is an emergency ordinance.

**Speaker:** Accept and appropriate grant in the amount of \$15 million from the state of Oregon department of administrative services for design and construction of the north Portland aquatic center.

**Speaker:** Commissioner Rubio.

**Speaker:** This indoor aquatic development has been anticipated by the community since the completion of the park's 2020 vision in 1999. This will accept a grant to support the health and well-being of north Portlanders and support an

aquatics center to serve 22,000 additional households. I would like to now turn it over to robin johnson craig to provide a presentation to City Council.

**Speaker:** Thank you commissioner Rubio. Council clerk, thank you very much for bringing up the presentation. I will -- if you don't mind, provide prompts for advancing the screen. I'm robin johnson craig. I'm the project manager for the new north Portland aquatic center for parks and recreation. Next slide, please. I'm here today to -- we're excited to kick off this project. This is an incredible opportunity to provide full aquatic programming to north Portland. We're thankful for the state of Oregon's grant funding in the amount of \$15 million for this project and we ask City Council to accept and appropriate a grant in the amount of \$15 million from the state of Oregon through the department of administrative services financed by the issuance of state and lottery bonds. Building off of that feel-good moment you mentioned before and the same vein of the sports economy and love of sports in Portland. Next slide. Representative travis nelson for house district 44 sponsored a measure in the special session spring of 22 that awarded \$15 million lottery funding for the aquatic center. This is a significant step in closing the funding gap for this facility. The new aquatic center will be located in north Portland and serve references covering many areas and overlying many communities. The parks vision 2020 vision set in 2001 set a level goal for full service community centers to develop a full service community center, a center with a pool, art facility and active recreation facilities within three miles of every resident. Full service community centers provide benefits to Portland residents of all ages helping to make Portland a family friendly and livable city. Level of services is a metric used by parks to measure how well a community is served to access assets and recognize areas to experience greater equity. We have four full service areas. 70.6% of the city is served by our three mile level of service goal. As you can see in the map illustration,

the full service community centers have a three mile service area shaded in blue. The areas not in blue are not served by our metric for full service community centers. In April of 2021, Commissioner Rubio gave \$11.7 million to address the service gap for our needs of service to cover the initial product design for engagement efforts for indoor aquatic center. We'll be serving approximately 22,000 dwelling units not currently served. The growing population does not have a pool they can use. As approximately 70,000 people including 18,000 people of color and 11,000 people don't have a place to learn to swim or exercise. With this current proposal, access to these life-saving skills is a racial equity issue. Black children in the united states drown at a rate three times higher than white children and there are many factors including accessibility to swim lessons. We are currently in our site selection programming and schematic design phase and hope to wrap up the land use permit by December of this year. This actually is a better illustration of that process but we're looking to wrap up the land use permit by the end of the year in 2023 -- next year and we're currently looking at potential sites in north Portland and it's going to be an exciting ride over the next year in the design and development of this project. Next slide. Estimates low confidence in 2018 estimated 36 million to 45 million with cost escalations we estimate \$50 million for the project as we don't have a confirmed site or program for the facility. With commissioner Rubio's additional allocations we have 57 until secs and this amazing grant from the state of Oregon will give us to \$31.7 million in bonds. Next slide. Commissioner Rubio and ppr will work to advance options. Options you can consider to build the funding gap. Options to consider include a voter approved ballot measure and general fund allocations, a capital set-aside and capital campaign to solicit private allocations for funding. We actually kicked off our public engagement in advance of this project last summer. We had a pretty comprehensive effort to meet with

stakeholder interviews and engage the public in different activities and events already occurring in the north Portland peninsula and had community surveys and an increase to 823 people who have opted into our project contact list. We're currently in process with our project community engagement and we have our first community open house this Saturday from 10:00 to 2:00 at Charles Jordan Community Center. I would like to formally invite you to attend. It's going to be an incredible event. We're so excited to introduce the project to the community. Next slide, please. So, I would respectfully ask for you to accept an appropriated grant in the amount of \$15 million from the state of Oregon through the department of administrative services financed through lottery revenue bonds for the purpose of design and construction of the north Portland aquatic's center. I think that's the end of the slides. There is another one. Thank you. If you have any questions.

**Speaker:** Mayor Wheeler: colleagues, any questions at this point?

**Speaker:** Mayor Wheeler: colleagues, any comments? Great presentation. Anyone signed up for public testimony? Any further last chance before we move this? Please call the roll. Commissioner Ryan.

**Speaker:** Thank you so much. When you had the slide will financing, you said 50 million and low confidence. I don't want to assume, tell me what that means. At this point I do not have a level of design development and specifications to have a higher confidence so there is low, medium and high. As we get closer to construction -- 100 percent construction drawings and associated specifications, our estimations are high confidence. Because I'm just now starting the project per I believe it's under OMF definition, because I'm just starting the project, it's considered low confidence.

**Speaker:** It's always that way.

**Speaker:** So when we see the funding gap of \$18 million, is that correct?

**Speaker:** Yes.

**Speaker:** We have low confidence that it's \$18 million, it could be higher?

**Speaker:** Yes. And it also depends respectfully on the site that is selected and also the programming -- final programming. We have a little bit of movement there. I will put it like that. Between what we'll actually design and build.

**Speaker:** Mayor Wheeler: I want to be realistic about what is ahead of us to do here.

**Speaker:** Mayor Wheeler: any further questions? Seeing none, call the roll.

**Speaker:** Mapps.

**Speaker:** I would like to thank commissioner Rubio and Travis Nelson for their leadership on this important project, I vote aye.

**Speaker:** Rubio.

**Speaker:** C. Rubio: I want to thank Robin and the Parks and Recreation team for their work on this project. I want to give a big appreciation to Oregon legislators, representative Travis Nelson and the Mayor Maxine Dexter for their tremendous partnership and investment in North Portland and without their leadership, we would not be at this point to accept this ward today. This will bring us closer to realizing a healthier and more row-burst Portland community. The future facility will not only provide a pool where kids can learn to swim and older adults can exercise but it will serve as a gathering space for community to come together and will foster economic benefits through the project itself by providing jobs in construction and later in recreation programming. It's also extremely important to note that the center could be used to serve as an emergency resiliency hub for situations ranging from earthquakes to extreme weather events. Finally I want to thank the dedicated advocates in North Portland. Working with North Portlanders will be critical to the

success of this project. Just to underscore also what robin said, we want to encourage the public to get involved at our first community gathering event this Saturday at the charles jordan community center. We hope it's a full house. For these reasons, I vote aye.

**Speaker:** Ryan.

**Speaker:** D. Ryan: thank you commissioner Rubio for bringing this forward and thank you robin johnson craig for the presentation. I'm excited about this project. It's important that we vote to appropriate this investment. And shout out to my rep, representative nelson for your leadership in salem. I spoke to so many Portlanders and elders that are yearning for this project especially the elders that do the water aerobics classes and such. I seem to bump into them when I'm grocery shopping and this is on the tip of their tongue. You have a lot of engagement. I'm excited to see the city accept this will \$15 million appropriation. I'll want to keep tracking it because of the term "low confidence" we have to make sure we get this done. I appreciate that you acknowledge the full service community center. And not this site at charles jordan was a site this summer for one of our heat events. I don't think parks and rec gets enough attention for how they always show up every time there is severe weather. We work with the city but it's parks and rec that responds. I think this is a good conversation. I'm excited about this step. We know we have many more to go to get there and hopefully we can really expedite this project as quickly as possible as the fifth quadrant is yearning for this and something to replace at the pool. I vote aye.

**Speaker:** Hardesty.

**Speaker:** J. Hardesty: I appreciate commissioner Rubio bringing this project forward. I know that both representatives nelson and governor-elect are north Portlanders who have been advocating for this aquatic center for a long time. We



know this \$15 million is not close to the resources we need to keep the promise that we've made to north Portlanders about this center. I will tell you this was the first thing that I was lobbied on when I came to the city of Portland. This is something January 1st, 2019, it was something that every where I went people talked about this promise, this promise that was to come about making sure that low income community members had the opportunity to have their own aquatic center in north Portland. It is very -- I'm grateful to see this project moving forward. And, again, this just the first drop in the bucket. We'll need more resources to make this vision a reality. But I have every confidence that commissioner Rubio that we'll bring this project. And to you commissioner Ryan, I will say as a senior member of council, I can tell you that most -- getting the most major capital improvement projects, the confidence level is low because you don't know what you don't know yet. The more you start designing and talking to people, then the confidence level increases. I don't stress about that any more. I used to. What do you mean you have low confidence? Now I'm joking about it. I'm happy to vote aye.

**Speaker:** Wheeler.

**Speaker:** Mayor Wheeler: great project, I vote aye, the ordinance is adopted. Thank you to everyone who worked so hard on this. I know the park's bureau has been working on this as well as our state partners for steering resources our way. Thank you for that. Next item. 1029, please.

**Speaker:** Authorize new construction financing for an affordable housing project alder street not to exceed \$30,000,500.

**Speaker:** Before we get into this, commissioner Rubio had a comment.

**Speaker:** I have a conflict of interest on item 1029. My relatives, my mother is the executive director of one of the organizations that will receive funding as a result of this ordinance. In compliance to state law, I will not be participating and not vote on

this ordinance. I will step out of the meeting.

**Speaker:** Mayor Wheeler: thank you. Good morning.

**Speaker:** Good morning. Commissioner Rind --

**Speaker:** I was going to make a comment. Related to northwest and central will develop alder nine using Portland housing bonds and financing funds. The proposed city funding leverage is over 56 million of other private and public financing and delivers 159 units of affordable housing to the buckman neighborhood including 25 permanent supportive housing units targeted for our homeless households. This project is centrally located and close to public transit and health clinics, grocery stores and pharmacies and recreational opportunities. I want to thank community partner again central for delivering much need affordable housing and supportive services in partnership with the city of Portland stakeholders. I now turn it over to Molly Rogers.

**Speaker:** Thank you commissioner Ryan. I'm going to see if we have the slides available.

**Speaker:** Thank you so much. For the record I'm Molly Rogers and I am interim director of the Portland housing bureau. We are here today to request your approval for funding for the alder nine affordable housing project sponsored by related northwest and central culturale. Before -- next slide, please. One more back. Before we want to jump into the project, we are pleased to provide a short update on the progress of the voter approved Portland housing bond. Portland housing bureau is well on its way to implementing the city's goals. As you can see on this map, there are 611 homes already only serving Portlanders. Tower are under -- four are under construction and three are in predevelopment. The circled 6 number diamond is the inner southeast project that we're here talking about today. In total 1,859 units are funded by the Portland housing bonds exceeding our commitments

to Portlanders by 43%. These homes are anticipated to house over 4,000 persons. 399 homes are dedicated to serve those coming out of joint office of homeless services access system. And just in the last week, disease first, we welcomed the grand opening of the starlight in old town with commissioner Ryan. It will house people exiting from homelessness. We have another grand opening next week with a development sponsored by the community development partners and nea focused on families especially those underserved by bipoc and native American communities. In the next few weeks we'll welcome residents from 141 affordable homes targeting families in the [indiscernible] neighborhood. Here we are to alder nine. It's a multi-family affordable housing project with 159 rent-regulated units located at the intersection of southeast 9th avenue and southeast alder streets. Close to transit and many amenities. The project will be targeted to serve senior households. So 585 or older. And their -- 55 or older and families. 42 units are family-sized and 25 will be permanent supportive housing to support homeless seniors as it is also an integrative supporting housing project. Construction will start in early 2023 and families will be able to move in during the fall of 2024. The borrower will enter into a regular lottery agreement with phb in accordance with city policies and maintain it for 99 years and comply with the bond requirements for the bond of 20 years. The center employment and education hub on ground floor. Outdoor courtyard and barbecue area, community garden, and a performance art and maker space. The project is on track to earn multi-family goals, certification, and has many environmentally friendly components including energy star appliances. L.e.d. Lighting and upgrading windows, high efficiency bowlers, low voc materials and low-flow plumbing features. The project team is expected to exceed phb's contracting goal of 30% dmwesb which is disadvantage the my north women emerging small business firms, utilization for hard

construction costs and 20% for professional services. Right now they're expected to achieve 31% in hard and 44% in soft costs. The project is comprised of 5 studios, 62 one bedrooms, 36 two bedrooms and three one bedrooms. 53 will be restricted at rents. They will be affordable to households earning 30% of area median income or below. The remaining will be restricted at 60% of area median income or below and 25 will be supportive housing units. And just to spend more time on the 25 affordable housing units, these will receive funding for wrap around support services from the joint office of homeless services totaling up to \$10,000 per year per unit. Psh units were intended to serve the chronically homeless or those at risk of homeless. All 25 will have rental support with project section 8 vouchers awarded by home forward. People coming in with very little income, that hurt them and prevent them from getting into housing. They'll pay a percentage of income towards rent whatever they have. Impact northwest will provide on site supportive services to the residents including mental health, case management and peer support and access to supportive programming. Next slide. The proposed city funding is leveraged almost two times overly -- almost two times raising over 56 million of other public and private funds. The housing development committee recommended approval of the use of both Portland bond funds and central east side tax tiff dollars. The total phb direct funding support is proposed. Private funding is contributed by the investor bank, bank of member and city bank and public support is from metro and the Oregon housing and community services department. Next slide.

**Speaker:** Can I jump in and ask a quick clarifying question. I noticed commissioner hardesty -- commissioner Mapps.

**Speaker:** What sponsor cash. I think I understand all of it except for that.

**Speaker:** The sponsor is another term for the vertical. The main developer. They

are actually contributing some of their equity and capital resources to put towards the project.

**Speaker:** Okay. Thank you.

**Speaker:** Thank you --

**Speaker:** J. Hardesty: thank you mayor and director rogers. It's a pleasure to meet you. I want to understand -- I want to start at the back end, who will own the properties as they are built?

**Speaker:** Actually the last slide will show we are the sponsor. The developer will enter into a limited partnership and that will be actual owner of the improvements and the land. So they will -- that's where the financing partners come in and that will be a partnership -- it will be primarily controlled by [indiscernible] northwest.

**Speaker:** J. Hardesty: I had this conversation with our previous housing director as well. Because we give a false impression that somehow the city of Portland is going to manage these units when in fact we provide a piece of the dollars but very little else as far as long term maintenance other than making sure that the 99-year agreement is accepted. And so, this always looks a little like smoke and mirrors when we have these presentations at council. We are specifically putting \$27 million into the development the city of Portland itself? Putting \$27 million into this development?

**Speaker:** Portland housing bond is \$27 million and an additional \$3 million on the east side tax. You're right, we are a financier of affordable housing, but the developers and owners are the one whose ultimately are obligated for long term. We do annual work to ensure that people are -- the intended population is the beneficiary of the project.

**Speaker:** Ultimately it's not our dollars. It's the community organization that manage the day-to-day operation.

**Speaker:** We like to think of it as working in partnership.

**Speaker:** We don't have any responsibility after we gift money and build it. I understand there is a difference in philosophy. It's the community owns it because their tax dollars built but the non-profits manage it. It's good to have that kind of clarity because again, I work closely with housing verticals for low-income housing and I know what they have to go through to get the money from the city. Thank you for that clarification.

**Speaker:** Mayor Wheeler: any other he questions? Testimony?

**Speaker:** None.

**Speaker:** Mayor Wheeler: commissioner Mapps raised his hands.

**Speaker:** M. Mapps: i'll save my questions for the end of the presentation.

**Speaker:** Next slide, please. Project will have robust resident services from central culturale and engage northwest and provide on site services such as housing support and computer and technology training and assistance accessing social services and community benefits. Last slide. Specifically to your point, we're authorizing funding of up to 30,365,500 to the alder street partnership or an affiliate of related northwest or central culturale. You're authorizing the phb to execute and advance the project. I am joined here with the vp, vice president of development seth conder and jonah from central cultural if you have questions.

**Speaker:** Mayor Wheeler: commissioner Mapps.

**Speaker:** M. Mapps: question for it staff. Can you remind us what has been at this address? 888 east alder?

**Speaker:** Staff, can you explain?

**Speaker:** So the former -- the site was formerly an old wooden -- I think it was a pickle manufacturing back in the 1900s. Dilapidated and kind of falling in on itself. And then, about a year ago, about a year ago we were in contract which made it

pretty interesting experience for us. The site has since been cleaned by the sell who are is selling us the property and so right now, it is just basically an open pit with a fence around it. This will be a tremendous improvement to the neighborhood and community to get this filled in with 159 units of affordable housing targeting seniors and intergenerational families.

**Speaker:** Thank you and I want to raise this issue because I think lots of Portlanders know this space although you may not realize. If you go back a year ago, we had a terrible fire at this space. And since then, although it does seem to be cleaned up, for a long time, it was a derelict building. Kind of remarkable that it could sit in the condition it sat in. I'm glad to see the space moved towards a higher use and in fact, let me congratulate state and commissioner Ryan, it's moving towards the highest use. A good and great project which will have an immediate impact on the neighborhood. Glad to see it move forward.

**Speaker:** Mayor Wheeler: any other questions? Public testimony?

**Speaker:** No one signed up.

**Speaker:** Mayor Wheeler: call the roll.

**Speaker:** Mapps.

**Speaker:** Aye. Deliver the meat of what my final comments would be here. This is a significant space, a great location. The past year or so, it's been a burned down hulk of a burned down building and I'm glad to have it be affordable housing. I would like to thank staff at the housing bureau and commissioner Ryan for their work on this. I vote on it.

**Speaker:** Ryan.

**Speaker:** D. Ryan: it's good to see our partners here. Earlier we were having a conversation about the importance of aging in place. We were talking about we don't know that there is maybe a couple of households on that block. But today in

this one, until this item we're talking about a much bigger number and how important that is. I'm very excited about this project in particular and I vote aye.

**Speaker:** Hardesty.

**Speaker:** J. Hardesty: thank you commissioner Ryan and interim director rogers. I actually wrote it down and then I couldn't find it on the paper. For this project. Both this project and the next, both of them are going to be an ideal locations and it's great that we'll have permanent housing that people can truly afford to live in and the heart of the city. So this is a good project. I look forward to the groundbreaking and seeing people actually move into what will be I know a beautiful building with all the support services that communities need to thrive. I'm happy to vote aye.

**Speaker:** This is a great opportunity for the city. I share commissioner Mapps' comments that this is going from really hole in the ground to the highest use. I like the way you said that. I think that accurately describes what we have here. Commissioner Ryan, thank you for your continued advocacy in leadership. Portland housing bureau. There are a few people here from the housing bureau. Good partnerships too. This is part of the strength of this proposal is the partnership that you developed with our community organization. This will be fun to watch how this unfolds. It should be successful. I vote aye, and the ordinance is adopted. Next is 1030.

**Speaker:** Approve application under the multiple unit limited tax exemption program under the inclusionary housing program for apartments located 1137 northwest.

**Speaker:** Mayor Wheeler: first reading commissioner Ryan.

**Speaker:** D. Ryan: first I want to thank the housing bureau leaders for your patience here today. The meeting has been longer than one could plan and I hope you brought your necessary devices so you could continue to stay busy. I'm excited



about this project. It's a multi--- it's reconfigured so we could add more family-sized units. I'll turn it over to matt.

**Speaker:** Thank you, matthew shoppal the interim deputy director of the housing department. This is under the inclusionary housing program and i'll pass it over to dory to give a quick overview of the project.

**Speaker:** Good afternoon. Commissioners and mayor. I'm dory hellyer, the manager of the development incentives team. To give an update quickly on this particular project. This is at northwest 23rd and marshal. An amazing area for our project to include some family-sized affordable housing. Specifically this project will be 74 units and it will consist of three inclusionary housing units because it's being reconfigured, and we'll have three-bedroom units in the building. These will be restricted at 60% in median family income. Rents in the area are very high for family-sized units. It's not particularly common to find three-bedroom apartments in northwest Portland, so it's interesting discrepancy between market rents in the area and what we'll have with restricted rents. Because of property tax is only applying to the affordable units within the building because it's outside of the central city district, there is also a small amount of taxes that are needing to be exempted to receive that 99-year affordability for those inclusionary housing units. We're happy to answer any further questions if you have them.

**Speaker:** Mayor Wheeler: colleagues, any questions? Commissioner hardesty.

**Speaker:** J. Hardesty: thank you for that presentation. I'm trying to wrap my head around this. This is going to be -- there is a total of 71 units. And all those other 71 units requesting to be market rate?

**Speaker:** Yes.

**Speaker:** J. Hardesty: I'm sorry, 74 units. A total of 74 units for the entire building and three will be "affordable." and they will be -- so the expectation they're family

units, right? Because they're three bedrooms.

**Speaker:** Yes, there are two three-bedrooms and one studio unit. The project was vested prior to the expiration of the ramp up inclusion rate. At 8% of the units being affordable rather than what is at 10% required. And then based on the total bedroom count in the project, they're reconfigured into the two three bedroom units originally. The project would have been required to provide two studios -- one -- by providing the additional three bedroom unit to include --

**Speaker:** J. Hardesty: I get that. My question is that we continue to have buildings that are significantly built for signals. And we stuff three bedroom units in them and give tax breaks and we don't come back and say what is the lived experience of families who live in a building built solely for signals when you stuff a family-sized units into those buildings. I suspect it's not going to be play areas for kids. Knowing northwest, it's like maybe there are parks close by. That's what I'm always concerned about. It's not just this project, we've done this in the past. I know that we were studying what that lived experience was and I know those reports haven't come back to the City Council yet. But I just hope that we in our zeal to build units that people can afford to live in and build additional bedrooms, because I remember we didn't even know what as appropriate square footage was for a three bedroom unit when I first got here. What we've learned is this program has not given us the return on investment that we had hope.

**Speaker:** I am pleased to say that we've begun the process of looking at the inclusionary housing program. The community that commissioner Ryan convened had its second meeting as of last week. Psu presented their findings that they have to date on the study you requested and i'll get that over to your office as well. This is the one of the topics that both the committee and psu we want to take up is this bedroom size -- bedroom size and configuration part of the program.

Commissioner, I appreciate you raising that because it's a real thing for people living in the buildings and I'm pleased that we are well underway in look tag.

**Speaker:** Thank you, matthew. If you could send that to all offices, that would be great. The study we heard about on Friday.

**Speaker:** Commissioner hardesty, I can add with the additional changes we made not program last year, at least there is another bedroom -- or another unit in the building that will have three bedrooms part of the market-rate units as well.

**Speaker:** J. Hardesty: that's a positive change, right? I moon it's crazy to just stick is a poor family into a single building and expect and wonder who is going to get the complaints. Thank you.

**Speaker:** Mayor Wheeler: any further discussion? Or questions? Do we have public testimony.

**Speaker:** No one signed up.

**Speaker:** Mayor Wheeler: this sounds good. This is a first reading moves to second reading. [gavel] thank you both. And we'll turn the page here. Next item 1031.

**Speaker:** Accept and appropriate staffing for adequate fire and emergency response grant from the department of homeland security to fund 6 Portland fire and rescue firefighters in the amount of \$2,767,406.

**Speaker:** This is an emergency ordinance. Commissioner hardesty.

**Speaker:** J. Hardesty: thank you, mayor. We have here [indiscernible] from Portland fire and rescue to talk about the federal grant. He have [indiscernible] and division chief gillespie on the line as well as others from fire and rescue.

**Speaker:** Thank you commissioner. And good morning mayor Wheeler and council. This is always an honor and privilege to speak before you. My name is sarah boone fire chief of the city of Portland. Here with my team to present

information and to request your acceptance of the 2022 fema grant that we applied for in partnership with local 43. Two years ago, we applied for this same grant, but weren't successful in being selected. This time around, senator wyden and merkley were advocates for Portland fire and rescue receiving the grant go we were successful this time around. The big thank you to commissioner hardesty and the government relations office for their support as well. And pffa. Now I'm going to turn it over to [indiscernible] wayner.

**Speaker:** Good afternoon mayor and members of council. In the spirit of partnership, i'll introduce myself first. I'm with Portland fire and rescue. Moving on to the presentation, until the spirit of partnership and creativity, the bureau has pursued grant funding to address our staffing needs, recognizing that the city's general fund is limited. As the chief mentioned, we received notification in October of this year that we were awarded the fema safer grant to provide \$3.1 million over three years. This allows for pf&r staff to form the dissipation addresses a long-standing priority as well as the community's needs. It supports the goal of providing equitable service across the city's geographies and specifically restores the service levels in the fire management area for station 23. It will improve the bureau's ability to respond to fire, medical and all hazard emergencies. And decrease severity of property damage in case of fire and assure that the public has emergency services available when needed. I'll turn the presentation over to chief gillespie.

**Speaker:** Thank you. Commissioner hardesty, your hand is up, did you want to ask something?

**Speaker:** J. Hardesty:, no, i'll wait until you've spoken. I want to do my opening remark when you're done.

**Speaker:** Good afternoon, I'm Ryan gillespie division chief of emergency

operations for Portland fire and rescue. In fiscal year 1920, two positions were removed from on duty staffing and assigned to replacement otherwise known as the traveler pool. Due to reduction in staffing, we received a ulp. As part of the settlement agreement for that ulp, it included a requirement that we apply for the safer grant. We were unsuccessful in the first year. We did try again in partnership with pffa local 43 and awarded the safer grant this year. Six positions will be funded through the grant will allow to us fully staff station 43. Implementing one of the essential deployment recommendations resulting from the city study. With that, i'll pass it back to chief boone.

**Speaker:** Thank you. Commissioner hardesty.

**Speaker:** J. Hardesty: thank you all. For me the question is -- one of the questions I want to make sure we put is what happens if we don't accept a grant. What if we say thank you but no thank you to the federal government. We appreciate your 2.1 million, but no thank you. Chief boone or --

**Speaker:** We -- number one, the first thing is we are there are a deficit when it comes to staffing. That's why we went out for the grant. And we assume the risk when it comes to community. Also, I assume the risk when it comes to the people under my watch. We are not meeting our performance standards to date. To date. This is the response side of the system where there is the resiliency side, investing in community, working with non-profit community-based organizations and building resiliency. There is the other side when something fails. You have one shot. That's it. That's what this workforce is. And how we respond is how we are trained, how we are adequately resourced so when something does happen, we can effectively mitigate it. We ended up talking about them wonderful housing project that out of tragedy, the significant fire in the heart of the city, this building was vacant for years. And was a death trap. But also, a shelter for most vulnerable. We

always balance risk. This was a four alarm fire, but we depth from spreading. I just want to remind people this area that is the community is at risk. And so, not accepting it puts them further at ridiculous. That's the value price. But there is also -- we wouldn't be as effective in our performance.

**Speaker:** J. Hardesty: chief, do you have any Portland fire and rescue actually been amazing in showing up every step of the way for every single crises experienced by this city. You also know it was because we removed barriers that we're now able to hire lateral transfers. I was shocked to find out we weren't able to do that. This particular proposal however, allows us to fund 6 positions that are critical to the staffing shortage that Portland fire and rescue has right now. And removing our rapid response vehicle program won't be an effective way to address the staffing shortage. In fact, it will exacerbate the staffing shortage rather than make it better. I wanted to make sure we put that on the record. The fact that right now -- we need this grant. And I know there has been a lot of questions. So I want to make sure that if my colleagues have question, this they can articulate them now and put them on the public record and let them get those answered because I would hate for us to miss the opportunity to stabilize Portland fire and rescue at a time when it's vital that will we are adding firefighters and not exacerbating the staffing shortage that we currently have. I see commissioner Mapps hand is up. I think another hand went up.

**Speaker:** Lets a get to keeza.

**Speaker:** I wanted to add on to what the chief was responding with. I think the question is what happens if we don't accept the grant? I think that this is a major accomplishment that we have received the staffing grant. It's difficult to get highly competitive. If we decline it or de-obligate the grant, I don't think we'll have another bite at the apple. I don't think we'll be in the running to receive future staffing

grants from the federal government at least for the foreseeable future. I have my financial forecasting hat on.

**Speaker:** I appreciate that. Certainly we won't be able to get our u.s. Senators to be advocates for us to get additional federal dollars.

**Speaker:** Mayor Wheeler: commissioner Mapps.

**Speaker:** M. Mapps: I think we have public testimony on this. It makes sense to let the fire bureau complete their presentation and here public testimony. I will have some questions. But I think my questions would go to the budget office. I don't know if we have anyone in the budget office in the room. If we don't, I'm wondering if we could raise someone from the budget office in the next couple of minutes and I can pose those questions to them after public testimony.

**Speaker:** J. Hardesty: let me do up with thing first, commissioner Mapps. I think this is a misunderstanding of what Portland fire and rescue does in their day job. What street response does in its day job and what the community health and assessment team does in their day job. I think there is a misperception that they are intertwined and can do each other's work. Portland fire and rescue have expertise they're trained at. No one else can slip in and do the work that fire and rescue staff do. That is uniquely what Portland street response is a first responder but not like they other first responder that existed prior to it. I think what is missing from the conversation actually the outside investments that have been made or will be we made inside Portland fire and rescue. Prior to recently, there had been -- we can talk later about the investment. I think that's at difference. When we talk Portland fire and rescue, what you're talking is fire and rescue personnel and don't confuse them with chad program personnel and others because they have different missions and respond to different types of calls. Does that clarify?

**Speaker:** I have a question for the budget office. I was hoping I could ask them.

**Speaker:** J. Hardesty: I can't answer for the budget office.

**Speaker:** Thank you.

**Speaker:** We have one more guest. Just so we have an understanding and commissioner hardesty laid it out well. But we take this balance and I think there is confusion to a certain degree as we're all trying to process and either the more appropriate responder. There is a huge humanitarian need and council, you are all in alignment of how to move forward. But I think what grounds all of us is that we're filling gaps that weren't there. That is important in the criticalness of pfr. Portland fire can't provide that. That's the specialty of an integrated team when it comes to crisis on the streets. We also are in a crisis when it comes to our medical system. Our healthcare system. That's why we're both firefighters and emt service providers. That is when we operate under the licenser of medical director. I would like to look under how we operate under his licensure.

**Speaker:** Thank you dr. Jude.

**Speaker:** Thank you. Can you hear me okay? For the record, I'm john jude. I'm the ems medical director for [indiscernible] county. I serve Portland. I am in full support for the safer grant. It is a unique opportunity and not to be repeated as well. The second one I like to say clearly is that the psr team is uniquely configured. You can't substitute for the 9-1-1 team. Medically they're completely different. There are many different issues here, but need two persons for an emergency response. That's number one. Number two is as everybody here knows there are challenges in public dispatch and sometimes you get people with different cultures and languages and often we do not find what dispatch initially dispatched it out. It's not a fault of dispatch, it's a lack of communication here. Number three, I think basically difference when you look at behavioral health. In order for the psr to do an adequate job, often it takes 30 minutes to an hour and a half for each interaction. If



you use psr as a substitute for the fire department, you'll degrade psr's mission. We sorely need psr to do what their mission is and we need additional help on the federal side for fire. Right now, as most of the public knows, our health system is hugely challenged. I've been working my job for over four decades and never seen our health system in such a crisis right now. There is no room -- our ambulances are challenged and we've had level zero for -- no ambulances for multiple occasions greater than 30 minutes over the last week here as well. The only real safety net -- the only real safety net is our fire crews. Fire crews doing medical here as well. Finally the issue is safety to the cruel and members itself. In summary, I support the safer grant and number two, I don't think that psr is a capable substitute for the fire crews here as well. Back to you, chief.

**Speaker:** J. Hardesty: thank you. Before I turn it over to the mayor, I want to read a short note that I got from someone that mailed it to me last month about Portland fire and rescue. With your permission I would like to draw attention to the timely and professional care offered yet by station 11 fire and rescue crew supervised by captain stalling. One of our homeless clients we found unconscious and unresponsive. I particularly appreciated the calm measured and thorough approach that fire and rescue crew took in assessing the situation and interacting with this homeless individual. Through work with the union gospel mission, I've experienced the loss of four homeless individuals this year that we cared greatly about. Mistakes that cannot be recovered. Captain stallings assistance and that of the team was and is greatly appreciated. And may have averted another loss of life." I'm not reading the gentleman's name because I didn't have his permission, but I think that says why this proposal is in front of this council today. And mayor, i'll turn it back over to you.

**Speaker:** We're getting a link for the director to join.

**Speaker:** Mayor Wheeler: good.

**Speaker:** I think we have public testimony on this too.

**Speaker:** We have one person signed up isaac maclennan.

**Speaker:** Mayor Wheeler: come on up, welcome. Feel free to draw this out until we get director kennard on the line.

**Speaker:** Good afternoon mayor Wheeler and commissioner hardesty and the rest of the council. I'm isaac maclennan, the president of Portland firefighters association local 43. I've been a firefighter for 23 years and resident. I urge passing of this ordinance to accept the safer grant. This grant will finally give inter-southeast Portland neighborhoods the safety they provide and provide safe working conditions for firefighters. The abernathy and brooklyn and surrounding neighborhoods have been without a station since 2010. Others have a fire engine or truck. This would give these residents the same fire safety protection they deserve. All of this would be at no cost to the city or residents as it is a federal grant. As you are aware, funding is always an issue. This grant fills the gap of needed dollars tone sure community safety needs are met. I want to thank senator merkley and wyden for their work to appropriate these funds. I am aware that there are council concerns regarding on going funding of existing fire units such as those funded by the rrv program and how that relates though this grant. I know that Portland fire and rescue is working on how to maintain the number of firefighters in our community. You should all have received a letter if myself outlining many issues impacting firefighters such as massive amount of mandatory overtime that we're working. Increase to the 9-1-1 calls for service for help. And daily fire truck closures across the city. Not to mention the many crises that Portland faced over the years. We have not increased the number of firefighters in over 20 years. Portland firefighters are here to save lives, but we can't do our job if

there is not enough of them and we're stretched too thin. You only get one shot to save a life. The simple fact is this grant will save lives and without it, it will continue -- lives will continue to be at risk. I can take any questions.

**Speaker:** Mayor Wheeler: thank you for being here. Do we have director kennard? Commissioner Mapps had a couple of questions related to the ordinance we're currently discussion. It's 1031 regarding the staffing and adequate fire and emergency response grant from the department of homeland security.

**Speaker:** Director. Thank you for being here. I apologize to drag you in at the last minute with zero notice. I'm wondering if you can help me think about how to think about the ordinance before us. Before us we have the opportunity to accept the federal grant for \$2 million to support the important work done at the fire bureau. We've all heard the fire bureau's recent staffing studies that show us that they have urgent staffing needs that will take years to sort out. At the same time, it's my understanding that by soaping this grant, council also limits our ability to frankly cut the fire bureau's budget in the future. I think that basically by accepting this we commit ourselves to current levels of funding at the fire bureau from now through fiscal yearly 2025-26. One, I don't really imagine myself ever wanting to cut the fire bureau. At the same time I haven't seen the budgets that the mayor's office is going to send to us for the coming fiscal years. And I know that it's highly likely that Portland will fall into a recession within the next 12 months or so. Can you give us -- number one, do I understand the lay of the land correctly? Number two, how do I -- I feel like I'm voting on budgets that haven't even been developed yet and how do a make a good choice here?

**Speaker:** Thanks commissioner for the question. A lot of questions there. I'll start with the first which is I believe that you -- that you have a generally correct understanding in terms of the staffing requirements of accepting the grant. I would

defer to the fire bureau on the sort of specific language that's in the grant. My understanding is we're required to maintain our staffing, our staffing levels, our firefighters staffing levels if we accept this grant. Through fiscal year 25-26. If we do not retain those staffing levels, then we would be out of compliance with the grant. And that would require -- that would require additional action and I would defer the fire bureau on that would be. But there would be significant consequences of that. So I think the bulk of the fire bureau's budget is contained in their firefighter staffing. It's not the only thing in their budget. I will say that the fire bureau most recent during the pandemic had cuts taken to their administrative functions and that part of the bureau's operations is lean. So there is some flexibility in terms of you have to maintain the firefighters so you can potentially cut from other places. But I think that would be very challenging given where the fire bureau is add administratively. I think there is a piece here that there will be assuming that council wants to up hold the terms of the grant, there will be reduced flexibility in terms of making reductions toot firefighters -- fire bureau's budget in the future. That needs to be weighed against the consequences of not accepting the grant. I can't make it decision for you. I think there are challenges that with the reduced flexibility but there are also challenges to not accepting the grant for the fire bureau's operations.

**Speaker:** One more clarifying question. I think we have the city economist in here a couple of weeks ago who gave us his perception of what our future economic forecast looks like. Do you remember the odds of a recession coming up in the next 12 months?

**Speaker:** The national outlook is different than our local revenue outlook. For a variety of reasons. The economist walked through in a more detailed fashion during the work session in November. Nationally, a recession is looking likely. Locally, the

way that our general revenues are predominantly relying on business tax revenues. He's already assumed and accounted for a presumed slowdown in what he forecasted last April. At this point in time, he's not anticipating an additional reduction in our revenues beyond what he has initially forecasted now. The general fund forecast is expected to come out in two week's time. That's the gist of I think what he presented is that nationally, the forecast is -- economists seem the forecast is likely but it doesn't necessarily mean at least in the near term have reduced general funds in our forecast immediately.

**Speaker:** Thank you for those clarifications. I think that satisfies -- that answers the questions I have at the moment.

**Speaker:** J. Hardesty: I have a question director. My question is, if I remember correctly, we're not planning on a lot of new money coming in in the next budget process. Am I accurate in that? It's not going to be this big boon. We've had the last two budget cycles and bucket loads more money than we anticipated. We're not going to have that experience this year, are we?

**Speaker:** I always hesitate to forecast the forecast, but I think the last two years when we particularly had very large one-time balances, that is not anticipated. That was essentially a correction for the challenges of forecasting during the pandemic that we think about smooth out in the future.

**Speaker:** J. Hardesty: okay, thank you. I wanted to make sure I had that on the record. That was my recollection is this was going to be a tiny interest. I want to remind my deletion Portland fire and rescue has been underfunded for quite some time. In my short time as commissioner in charge of Portland fire and rescue, I've been proud to work with chief Boone and her leadership to identify funding sources outside of the city's general fund. We were able to do that by -- able to do that by working strongly with our federal delegation around Portland's street response

to make sure we can change the medicare reimbursement to get portions of our staffing time and allocations reimbursed. I don't know what the details will look like yet. But we've been notified that we'll be able to apply for reimbursement in the next application process. That didn't happen because Portland fire and rescue -- dr. -- was sitting on laurels to wait. In addition to the community health assessment team, it is funded solely by care Oregon because we felt we could provide the most vulnerable members it will reduce medical costs overall. We had a lot of success with that program. I'm putting this on the record because I only get one more time to be on the record here. More importantly, I want to remind people the significant progress that we've made in the last couple of years and this grant -- the safer grant actually helps us continue to build on that progress. Again, thank you chief boone, deputy chief gillespie and all the other incredible people leading Portland fire and rescue at this time. Mayor, i'll turn it back over to you.

**Speaker:** Mayor Wheeler: we do not have any public testimony, is that correct?

**Speaker:** Just the one.

**Speaker:** Mayor Wheeler: thanks, again, isaac for being here. Any further discussion? Please call the roll.

**Speaker:** Mapps.

**Speaker:** I want to thank [indiscernible] boone, and my colleagues for the discussion today. I'm voting aye. One of the lessons we learned is the fire bureau facing challenges. I get that. I also think one of the things I've learned in the two years on this council is that we should maintain our hiring in the public safety space even when we go into recession. I don't see a universe even if we have an important recession here in Portland where I would be advocating for cutting funds to the fire bureau. At the same time, because of the specific way this grant is organized, I think it's important that my colleagues on council and the people of

Portland understand we're not just accepting a grant here, we're may going important funding decisions which will impact the next three budget cycles. One of the things we're committing to is maintaining the current level of staffing and fire which is probably a little bit of a simplification of what is going on here. That means if there are cuts that happen in the next three budgets, you know, because they won't impact fire, they'll impact some of the other bureaus that we have to manage, we should be aware of that as we take this vote. At the same time, I'm deeply committed to getting our public safety services right and this is an important step towards that. For these reasons, I will vote aye.

**Speaker:** Rubio.

**Speaker:** C. Rubio: thank you commissioner hardesty for bringing this forward and thank you to chief boone and your team and isaac for your comments. We have so many needs in our safety system and I take to heart the comments I heard about there will is only one chance you have to save a life. That's compelling to me. So, I'm eager to see this step move forward to support maintaining firefighter staffing and grow our ability in the future to provide increased responses to the areas of need we heard about today. Firefighters are our frontline and deserve recognition and capacity support for the work they do on behalf of the residents in our city. I look forward to hearing more on how we can do that. I vote aye.

**Speaker:** Ryan.

**Speaker:** D. Ryan: thank you commissioner hardesty for working on this. It's a no-brain that are we're going to support this today. It was a great conversation. We'll have more detailed dialogue about this as we move forward. And like you, commissioner Rubio, you only have one shot to save a life and that's the quote of the day. I vote aye.

**Speaker:** Hardesty.

**Speaker:** J. Hardesty: being a first responder is a huge responsibility. Being a medical first responder is even more so. A bureau that leads with compassion and empathy and care is not something you can teach people to do. They either have it in their dna or they don't. I've been proud to leaf chief boone and gillespie and their team. This is necessary. I remember most of my staff lives in engine -- station 23 area which means if a major disaster happened, I would have been concerned about whether they would have been able to get Portland fire and rescue in the area had they needed it to be able to save their life. And so, when you are responsible for staff people who you don't know and you're going to be able to protect that in a emergency, I take that personally. I want to applaud my team and appreciate our u.s. Senators for working collectively with us to make it grant happen. But it would not have happened without the strong leadership of chief boone and her vision for a Portland fire and rescue that is compassionate empathetic and leads with their heart. I vote aye.

**Speaker:** Wheeler.

**Speaker:** Mayor Wheeler: there are two sides to this story. The first is the grant side of the story. And I want to applaud our congressional delegation, commissioner hardesty, I want to thank you for your superb leadership on the grant and chief boone and division chief gillespie and all other whose worked hard to bring in the revenues. We need them. These revenues come with a price. It's a significant price. And I don't want to forget to put this on the record. This is not free money. This is a three-year commitment to maintain the funding for the entire rrv operation. Which I'm prepared to do. I've supported it and I'm going to continue to support it. Now that being said, this will not solve the problem. The problem is it much larger than six positions in rrv. We have a massive overtime expenditure in the Portland fire and rescue. I think it's 29 million. It's large. Relative to the overall



bureau's finances. There are still questions that we need to work on collectively around employment of resources. This grant while significant will not allow us to escape the hard work that we have to do going forward to look at deployment of our limited resources. We have to look at retention. This is the first time in the modern history of the city where we're losing firefighters to other opportunities in the community. And I get it. We have over 20 bureaus in this city. Each and every one of them is struggling in recruitment and retention area. Particularly those that require skilled workers. Those that require specific training as Portland fire and rescue does. And so I want to commit chief to continue to work with you and your team going forward to address some of the staffing issues and get to the bigger picture issues of how do we recruit, how to retain and once we've done those effectively, how do we deploy the resources as efficiently and cost effectively and if the trillion of public safety as well as possible. I vote aye, and the ordinance is adopted. Next item 1032.

**Speaker:** Authorize the bureau of transportation to acquire certain permanent and temporary property rights necessary for construction of the jade and montavilla through the domain authority.

**Speaker:** Commissioner hardesty.

**Speaker:** J. Hardesty: this project known as the jade montavilla project. The project will construct missing sidewalks and ada ramps, provide pedestrian crossings and improve bicycle and pedestrian access through and across 82 avenue. For more information, i'll turn it over to don from the bureau of transportation to walk us through this. My colleagues and I are hungry.

**Speaker:** Thank you for the introduction. Good afternoon, mayor and commissioners. I'm john deo. I'm with department of transportation and with me on phone is dan laden project manager with pbot. With that, i'll give you a brief

overview of this multimodal improvements project. Next slide, please. There are several elements including construction of missing sidewalks on southeast tibbetts and clinton streets and 86th avenue. New pedestrian crossings on southeast 82nd avenue and southeast third street at 84th avenue. Modified signals at southeast 82nd and Washington. And at southeast 76th and stark. And complete street reconstruction at southeast clinton and southeast 85th avenue. Next slide, please.

The project will include curb ramps to meet ada requirements. Improve street lighting throughout the project area and a widen and protected bike lane on southeast Washington from thorburn to 69th avenue. Next slide, please.

Improvements efforts include pbot and montavilla. Since that time pbot has provided regular project updates and provide regular updates and construction.

Next slide, please. Regarding the right-of-way needs through this ordinance for you today, authority will be given to compensate property owners for the necessary easements and if needed, should negotiations with property owners be unsuccessful gives authority to condemn? Permanent right-of-way and construction easements for the project are needed from 58 property owners. Permanent right-of-way is needed for construction of ada ramps and sidewalk improvements within the public right-of-way. Temporary construction easements will be used for support of construction activities. Effected property owners have been invited to attend today's hearing. And that concludes the presentation. Thank you for your time and dan and I are available to answer any questions for you.

**Speaker:** Mayor Wheeler: thank you for the presentation. Colleagues, any questions? Commissioner Ryan.

**Speaker:** D. Ryan: ion, thank you for the -- john, thank you for the presentation. You said 58 residents were notified?

**Speaker:** That is correct.

**Speaker:** D. Ryan: are any of them here to testify or offer their thoughts and opinions? I'm not aware of anyone. Anyone signed up to testify in.

**Speaker:** No one signed up.

**Speaker:** This is a big item and I'm not saying it's not the right item, but why does it have to be an emergency? I'm concerned they weren't given enough time to respond.

**Speaker:** We did send out notice in early November. We did do site inspections for the easement evaluations the last week and met with a number of property owners and sent them notices and gave them the opportunity to meet with us. I would say at least for the property owners that chose to meet with us, they were overwhelmingly in support of the project. They're happy that we're finally providing sidewalks in the area and increasing the lighting levels on streets out there. So, we haven't received any negative feedback so far on the project. We have done, again, extensive outreach through certified mailings to property owners to give them any opportunity if they should have any concerns to contact us.

**Speaker:** I was looking at the slides, does this impact 82nd?

**Speaker:** Yes, it does. At southeast tibbetts, there is the protected bikeway that process at tibbetts and it does -- there are other projects -- al brentwood darlington projects and other projects on 82nd that this is meant to tie into those improvements.

**Speaker:** Do you have the slide of 82nd you can put back up?

**Speaker:** Probably the second slide in the presentation -- yes. Bullet point it would be number 2. The new pedestrian crossings.

**Speaker:** This is darrin from pbot. The work at 82nd is basically a pedestrian and bicycle crossing. Basically where the store is if you are aware of that location. It's a fairly standard signal pedestrian crossing.

**Speaker:** Okay. So thank you. It's a pedestrian crossing which obviously is needed for safety. It's not about a bike lane on 82nd itself.

**Speaker:** No. It's not a bike lane on 82nd. There are greenway facilities.

**Speaker:** It's off 82nd.

**Speaker:** The greenways are local streets we use for bicycle and pedestrian access. There are streets that don't require a bike lane. Tributes is a street that's been a bikeway for a number of years but there is not a good connection across 82nd and this will provide for the connection.

**Speaker:** Just wanted that clarification.

**Speaker:** Mapps.

**Speaker:** Aye.

**Speaker:** Rubio.

**Speaker:** I want to thank commissioner hardesty for bringing this forward. Bicycle and pedestrian safety improvements on 82nd are important and I'm happy to support this project. I vote aye.

**Speaker:** Ryan.

**Speaker:** It's my understanding we were going to remove the emergency order, and we're not. There is that. Since I've been on council, there has been some large pbob ideas that I'll hear from the public that we should ask this and that question. That's why I want to know the impact on 82nd. I'm skeptical of what kind of engagement we've done with the people in the area. And I will -- that's why I was asking questions specifically about 82nd. Where we have trucks and cars that are obviously on what used to be a state highway, and I get that we don't have the jurisdiction. What I'm hearing from pbob staff is this is about the pedestrian crossings and bicycle crossing that go across 82nd, but it has nothing to with any construction of the concrete bear barriers on 82nd itself. That's not what I'm voting

on today. Anyway, just a little -- I feel rushed on this one. I wish it wasn't an emergency ordinance. I wish there was more time to have fulling presentations and all that said, I will at this moment in time vote aye. Thanks.

**Speaker:** Hardesty.

**Speaker:** J. Hardesty: thank you commissioner Ryan. I appreciate you voting aye. I know what it feels like to feel like you don't quite have a handle on what the big picture is. I don't know that it was a rush project. I can tell you that many of these are always in the works for quite some time before -- I appreciate that. Having said that, however, I have absolutely confidence in pbot and being able to move this project forward as well as the improvements happening now around 82nd that we have the dollars for now. More importantly, the bigger 82nd improvement projects that will engage a much broader segment of the community and long-term vision about what 82nd avenue will be like and who will be the beneficiaries of this brand new 82nd avenue. This is a small project in comparison, but it's important to get the little projects in as we look at the big picture long term planning around 82nd avenue. I feel confident this is moving us in the right direction. Anything that makes our streets safer is moving us actually in the right direction. I'm happy to vote aye. Thank you, pbot.

**Speaker:** Mayor Wheeler: I vote aye and the ordinance is adopted. We're moving to the consent agenda. One item was pulled 1023.

**Speaker:** Authorize the request for proposal for parking enforcement hand-held citation system for the bureau of transportation. Commissioner Ryan.

**Speaker:** D. Ryan: I pulled it because I wanted it to be in the public domain to have dialogue about this. Increasingly, it seems that though we're moving traffic safety from Portland police bureau to pbot. And I think the public needs to continue to understand the journey we're on and to explain how it will continue to provide

safety. And know it's a contract, but it's still in the dialogue of that journey from moving things from the Portland police bureau.

**Speaker:** We don't do parking enforcement. Police bureau --

**Speaker:** I thought it was a device that was used to track like speeding. Maybe I got misinformation.

**Speaker:** J. Hardesty: it's a device to issue traffic infractions.

**Speaker:** Citations.

**Speaker:** Yes.

**Speaker:** Traffic citations go beyond parking, right?

**Speaker:** Traffic citations are typically parking tickets, but they would be running red camera lights which now pbot has the authority to review and send those tickets out. Again, it's a division of labor. We're not taking work away from the police bureau and not adding additional work to our portfolio. The other thing that is unique is as you can see, we're buying a new electronic equipment to be able to process the tickets. That's all.

**Speaker:** I understand that. I think it's more for the public dialogue that we're moving that away. If there is a camera -- if someone doesn't -- since the police are not doing the traffic stops for what you mentioned, but it's through cameras, what do we do when someone doesn't have a license plate?

**Speaker:** J. Hardesty: the police is to provide citations to people that are speeding or breaking traffic laws outside of a parking space. Pbot does not you know, drive up on drivers that are speeding or things like that. The police bureau does what the police bureau does. Any police officer can issue a traffic citation ticket. You don't need to be a specialized officer to do that. What we're asking for today in this particular legislation is just simply for the authority to actually buy the electronic devices that allow us to issue traffic citations. That could be for a vehicle that is not

registered. It could be for a vehicle that is expired plate. It could be for a vehicle that has no plate. But if you want more information, I would encourage you to reach out to pbot.

**Speaker:** What kind of information is exchanged between pbot and Portland police bureau?

**Speaker:** On this issue --

**Speaker:** J. Hardesty: on the this issue, the only information --

**Speaker:** Just on the fact of traffic.

**Speaker:** J. Hardesty: you have to actually have police certification and be able to check the vin numbers on automobiles. We're fortunate to have people at pbot that have police certification, so they're able to track the vin numbers to determine if they're stolen. It's a pbot responsibility when they are out actually issuing those citations.

**Speaker:** I want to make sure we don't lose the -- I want to make sure we don't lose that investigation on ground. I don't want to lose the intelligence. You hear with police being removed from traffic citations and with pbot, what is our system to make sure we don't lose the intelligence?

**Speaker:** To make it crystal clear.

**Speaker:** It's a fair question.

**Speaker:** Let me be clear. We have not lost any coordination at all. The only thing that changed was not having police being paid overtime to review the red camera tickets before they were given out to the public. It is a police bureau that we're talking about. Police don't check vin numbers.

**Speaker:** I'll follow up to find out what the communication is.

**Speaker:** I'll put in one plug for the question commissioner Ryan is asking. It is factually true over the course of the pandemic, the Portland police bureau has not

been able to fully resource moving traffic violations. I can tell you that conversation is very much alive within ppd. I attended a meeting yesterday afternoon with a number of people from east precinct talking about how to ramp up some of the efforts now that we're in a better place. I appreciate that. Is there any public testimony? Any further questions on this item? Please call the roll.

**Speaker:** Mapps.

**Speaker:** Aye.

**Speaker:** Rubio.

**Speaker:** Aye.

**Speaker:** Ryan.

**Speaker:** Aye.

**Speaker:** Hardesty.

**Speaker:** Aye.

**Speaker:** Wheeler.

**Speaker:** The ordinance is adopted. We'll see you back here in a few minutes. We are adjourned.



## **Portland City Council Meeting Closed Caption File**

**December 7, 2022 – 2:00 p.m.**

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, motions, and names of speakers are included in the official minutes.

**Speaker:** Mayor Wheeler: welcome to the Portland City Council meeting today. Call the roll.

**Speaker:** Clerk: roll ready and now we'll hear from legal council.

**Speaker:** Good afternoon. Welcome to Portland City Council. City Council is holding hybrid in-person meetings and virtual. If you wish to testify in person or virtually, you must sign up in advance by visiting the council clerk's web page at [www.Portland.governor/council/agenda](http://www.Portland.governor/council/agenda). You may sign up for communications to briefly speak about any subject. Your testimony should address the matter being considered at the time. When testifying, please state your name for the record, your address is not necessary. Please disclose if you are a lobbyist. If you are representing an organization, please identify it. For testifiers joining virtually, please unmute yourself once the council clerk calls your name. The presiding officer preserves order and decorum so everyone can feel welcomed, comfortable, protected and safe. Individuals generally have three minutes to testify unless otherwise stated. A timer will indicate when your time is done if there are disruptions, a warning will be given that further disruption may result in the person being rejected for a remainder of the meeting. After being ejected, a person who fails to leave the meeting is subject to arrest for trespass. Additionally, council may take a short recess and reconvene virtually. Thank you. Ted Wheeler thank you very

much. Appreciate it. Our one item for this afternoon is 1033 nonemergency ordinance.

**Speaker:** Clerk: amend motor vehicle fuels code for bio fuels and add a carbon intensity. Lowest carbon ted Wheeler as a reminder, on November 16th, we heard a presentation from staff. We heard from some invited testimony. Public testimony and we had a variety of questions for staff as well as some of our guests. At the end of the meeting, we continued the item to today to allow for any potential amendments to come forth. Today we're going to hear a brief followup presentation from staff, open it up for any last questions or discussion from members of the Portland City Council and potentially vote on the ordinance. With that, commissioner Rubio, i'll turn it over to you to introduce the item today.

**Speaker:** Commissioner Rubio: thank you, mayor. Today's a momentous time in Portland's history. Since then, the rfs has helped grow a local supply of bio diesel and transformed our local fuel market. In fact, Portland's rfs was so successful that Oregon adopted the same 5% bio diesel standard statewide in April 2020. And as a result of this work, this proposal is credible and well grounded in data analysis and expert input. In our last hearing, we heard some testimony about concerns about predicting future markets. While we fully acknowledge the uncertainty of predicting the future of fuel markets, I'm confident that the interim rule authority providing the processes to ensure that the city is transparent, accountable, and well-informed and able to act nimbly in response to market conditions. Colleagues, this is the most importantly and meaningful climate and health legislation the City Council has passed for at least four years. Now, today, we have an important moment here to show that the climate emergency work plan is not just words on paper. I've asked staff to come back to give us a quick summary of the main questions that came up from council offices after the last hearing. Before I call up the director, I would like

to introduce an amendment. This item was continued after the November 16th public hearing to allow for time and space for questions and discussion. And the important discussions have happened, all the questions have been answered. Therefore, I would like to move agenda item 1033 forward today to allow bps to get started on implementation. In particular, we must get the technical advisory committee up and running in response to the stakeholders' urgency. So I'm proposing to add an emergency clause to the ordinance which will allow council to vote today. Ted Wheeler is there a second? Any further discussion on the amendment? Call the role on the amendment.

**Speaker:** Clerk: [roll call].

**Speaker:** Commissioner Rubio: great. Thank you, colleagues. Now i'll call up director donnie olivera from the planning and sustainability as well as andrea to start us off.

**Speaker:** Thank you, commissioner Rubio. Good afternoon mayor and commissioners. I want to take this moment to briefly thank you all, thank your staff. Thanks to the stakeholders that have had a chance to work with us over the last two years to get this council proposal and vote today. I know you all are juggling an incredible amount of important items and the fact that you and your staff took the time to dive into the complex issue shows your clear demonstration of climate leadership. So thank you for that. And last thing I want to acknowledge to make sure it's absolutely clear to everyone we want to continue to work with our partners to ensure this policy meets its goals and make sure no one is disproportionately harmed by the policy. We want to make sure the policy implementation is demonstrating our climate goals, health goals, but also ensure that no businesses are inadvertently put. Last session. Thank you.

**Speaker:** Thank you. Good afternoon mayor and commissioners for the record, my name is andrea jacob. I'm the program manager at the bureau of planning and sustainability. So the renewable fuel standard just for a quick refresher is the city code that regulates the blending or mixing of renewable fuels with fossil fuels. The code changes being proposed today apply to diesel fuel sales only and do not ban the use of diesel in Portland. People will still be able to drive their diesel vehicles. What we are doing is we will change the composition of fuels. The code changes are. We are proposing to phase in higher blends of renewable fuels between 2024 and 2030. At full implementation, we'll replace 99% of petroleum diesel with blends of renewable diesel and bio diesel. The market will decide what the best and most cost effective blends are to sell. The main thing we've done is add a carbon intensity standard and this is part of the policy you've probably heard the most about and has gotten the most concerning questions from stakeholders. The point is to ensure that we attract the lowest carbon fuels to the market. And, you know, we've heard conflicting testimony. The truth is fuel markets are very volatile and hard to predict and we know that for a fact. What we do know for sure is that the interim rule of authority established by the technical advisory committee will give us the most real time information to make changes to the policy as needed. We have actually used that interim rule authority twice in its history out of an abundance of caution. The market has adapted to the original rfs and we're confident it will adjust to this new policy as well. Next slide. To remind you what the phase in schedule is, the current rfs is a 5% blend. As of 2020, we had 11% bio diesel in the market. Right now the main fuel is bio diesel. We have 11% right now. In 2024, we're proposing a modest increase to 15%. The first big jump comes in 2026 with that 50% blending requirement getting to the 99% in 2030. Next slide, please. So we mentioned the technical advisory committee. I just wanted to run through what this flexible and

informed implementation looks like. This is all in the ordinance. Just to go through what those stage gates are. By end of July of next year of 2023, we'll have established the technical advisory committee. In October of between 25, the t.a.c. Will make its first report to bps. This is the 50% blending requirement. The blending requirement would go into effect mid between in 2029 the tac will make a report in October to bps, seven months before the 99% blending requirement bps reports to council in February. The changes go into effect mid February. Since there have been so many questions about carbon intensities and fuels and feed stocks, we wanted to just throw a couple of examples for you to understand the difference between what different fuels at different carbon intensities look like. In the green, these are examples of renewable diesel that are under that carbon intensity standard that we've proposed of 40. The big difference is the lower carbon intensities are made from waste products whereas the one that is are higher are made from virgin oils or agricultural products. So the carbon intensity, it's a life cycle assessment that takes into account all of the factors, what it starts, how it's refined. That ci. Of 40, we're hoping to keep those virgin products out of the market and convert these land use products that happen when you convert food to fuel. Next slide, please. This is the same sort of idea. You see these lower carbon intensity products are made domestically, they come here by truck rendered animal fat and you see those red ones, those are canola oil and soybean, again, those agricultural products that are coming into the market. So that's just a little bit of an example of what the carbon intensity looks like for different fuels. Next slide.

**Speaker:** Mayor Wheeler: commissioner Hardesty.

**Speaker:** Commissioner Hardesty: before you move on, great presentation, but if we are looking for more climate-friendly fuel and we're getting it from places who

are trucking it in, are we requiring those trucks to be environmentally climate-friendly?

**Speaker:** Kind of how that's accounted for if all the emissions for that transportation are figured in. So if it's an electric vehicle, you know, they're going to get a lower carbon intensity. So it's already factored in to that carbon intensity value. That's a sdral that's assigned by the department of environmental quality. So the mode of transportation absolutely has an effect on what that ci is. So higher emissions transportation is going to get a higher carbon intensity value. Does that make sense?

**Speaker:** Commissioner Hardesty: no. That was -- I like that. Thank you.

**Speaker:** Next slide, please. So we've also heard concerns about is there going to be enough of this stuff here in the future. I wanted to just show a little bit about what's here now and these are deq data. So right now we have, we can't know what the exact volumes are of supply by vendor because that's proprietary. So right now we have 27 approved renewable diesel products in Oregon and 20 of those or 74% are at or below a 40 ci. In addition, we know that in all of 2021, the average of all of the renewable diesel in Oregon by volume was a 36.98, so well under that 40 ci. And these are the vendors on the slide that have approved pathways and parentheses and the number of approved products they have received. Those are the 20 that are at the ci of 40 or below. Next slide, please. And this is just similar information for bio diesel. We have many more approved products. There are 59 approved bio diesel products in Oregon and 38 of those are at or below a 40 ci and those are some of the names of the companies that provide those. Just to conclude why we're doing this, commissioner Rubio already talked about this, diesel is our fourth largest source of carbon emissions and a major contributor to diesel particulate matter. It's rare we see a policy that does so much good on air quality

and it is a moment that will put Portland back in the position as a climate leader. So thank you so much.

**Speaker:** Mayor Wheeler: does that complete your entire presentation? All right. And this is a second reading or this is a continuation correct?

**Speaker:** Clerk: we've added the emergency clause which we voted on.

**Speaker:** Mayor Wheeler: okay. So it is a second reading, but we don't have testimony tonight.

**Speaker:** Clerk: no.

**Speaker:** Mayor Wheeler: good. Colleagues, any questions. We'll take a final vote on the ordinances amended.

**Speaker:** Clerk: Mapps.

**Speaker:** Commissioner Mapps: I want to express my appreciation for staff at planning for they're really exemplary work. It's truly cutting edge ordinance. The devil will be in the details and I think the flexibility and evaluation as we move forward. I have confidence in the this is one of the most important steps the city will make in terms of fighting climate change which is why I am glad to vote aye.

**Speaker:** Clerk: Rubio.

**Speaker:** Commissioner Rubio: as a city we have committed and recommitted to transition away from fossil fuels and this policy is what the clean energy transition looks like. Yes, it is complex and involves many stakeholders and perspectives, some of which conflict. I believe with all my heart that this policy will make Portland cleaner, healthier, and more resilient and more independent from the global conflict and suffering that they cause. With this vote, we can put Portland back into the limelight as a climate leader. These moments to make a difference for climate do not come along very often, so we should continue to be bold and unafraid. And speaking of bold, I want to give the biggest appreciation that I can to our excellent

team donnie, kyle, pam, and our other bps staff who've worked hundreds and hundreds of hours on this project researching and working with stakeholders to get this right. Similar to what we've heard earlier this morning, sometimes you only get one shot to get it right when it comes to peoples' lives. So I want to say thank you for getting this right for your dedication and for living your value in your work. I'm very proud to be here with you today and it's an incredible honor for me to work alongside all of you in this accomplishment and congratulations on this excellent work. I vote aye.

**Speaker:** Clerk: Ryan.

**Speaker:** Commissioner Ryan: thank you commissioner Rubio, for your steadfast and unwaivering leadership to bring ford a renewable fuels policy that not only under lines Portland with a climate action plan but also sends a signal to the green industry and we are leaning into it with action. Additionally, I want to thank you director donnie olivera and your staff. You've filled out a lot of questions for me and from our staff, we're kind of a curious bunch. We're life long learners and I've really appreciated how you've just hung in there and answered all of our questions. It's really important that we achieve our carbon emissions. There's no doubt in my mind. Advancing policy and programs to reduce local fossil fuel used both in the city's own operations and through community wide initiatives and deliver on these climate goals. This is Portland taking action. You know what you want by what you do. And here's what we're doing. We're sending a clear signal to the market. And we can do better. I'm a firm believer when there is a demand, the supply shows up. Therefore, after many meetings and long challenging productive conversations, I'm happy we've arrived on the add of this conversation with action that will advance the city's vision of environmental stewardship while also ensuring a smooth transition into the greener fuel economy. There's still a chance to ensure the best



case scenario. This ordinance is one of many steps along the path to operationalize the city's climate action plan to reduce carbon emissions by 40% in 2030 which is really soon. The time is ticking. Let's go. I vote aye.

**Speaker:** Clerk: Hardesty.

**Speaker:** Commissioner Hardesty: commissioner Rubio has shown she's a climate champion the day she showed up here at city hall. And I'm grateful for her leadership that doesn't allow climate policy to kind of sit and gather dust. She's hired some incredible leaders and I'm so sorry I forgot your name again, andrea, both of you. I could tell when you were speaking, andrea, your passion for climate justice and I think it's just remarkable to know in such a short period of time, I see the kind of synergy around who we will be as leaders in the climate mitigation and how we will make sure that we will not just be a city that talks about climate change, but actually does something about it. And so I'm confident that with commissioner Rubio's leadership and a solid team that she has gathered around her that this is just the beginning of us having a huge impact on making our climate move resilient and more just and more fair for Oregonians. I'm happy to vote aye.

**Speaker:** Clerk: Wheeler.

**Speaker:** Mayor Wheeler: well, I would agree with my colleagues. This is as monumental as it is meaningful and I want to recognize and appreciate that several years of hard work went into this ordinance today. Commissioner Rubio, thank you for your leadership. It's great to have something positive that we can talk about. A lot of the decisions we make here no matter what we do, it's unpopular. And this is one that will require some balance undoubtedly some people. They took the time to testify and provide really good input and feedback to us who will undoubtedly feel this is an overreach. I actually believe you struck a fine balance here. And the issue of course is one that's extremely important. There are costs to this ordinance

and we can't fool ourselves and pretend that there aren't. I want to thank everybody at bps, donnie, andrea, everybody at bps who worked so hard on this. Everybody who weighed in and that's hundreds of individuals, organizations, experts, residents, pretty much everybody had a say in this and I believe again you struck an appropriate balance. For decades, Portland has been shifting towards more climate-friendly forms of transportation and we've seen that throughout the work that we do here in City Council encouraging our public transit partners to work with us, improving walking and biking infrastructure in our city and as we look into the future, this proposal is yet another step in the right direction. It will over the next several years transition the diesel that's bought and sold in Portland today to cleaner, low carbon fuel. I appreciate the phased in approach this transition imagines to ensure that the market will be ready in time and I'm mindful of the fact that we are also asking a lot of our suppliers, our distributors, our retailers in this community and I believe that we have sketched out an appropriate phased in approach to ensure they're working in lock step with us as we achieve the goals we're seeking to achieve. I also appreciate the proposal for bps to form a technical advisory committee who can monitor fuel supply and costs and provide advice to bps and City Council and any changes that might be needed to stabilize the fuel market. We took substantial testimony from people who were concerned about the potential instability in the market for the lack of supply. We've built in this technical advisory committee. We've given appropriate authority to be able to make any tweaks that are necessary to ensure that we don't disrupt that supply. This ordinance points us in a direction that we know that we need to go. And, with a great deal of urgency. It's practical. It's the right thing to do and I strongly support it. I vote aye and the ordinance is adopted. Thank you all for your hard work. And believe it or not, that concludes this afternoon's session. We are adjourned.