



January 25, 2023 Council Agenda

5697

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

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Questions may be directed to councilclerk@portlandoregon.gov

Wednesday, January 25, 2023 9:30 am

Session Status: Recessed

Council in Attendance: Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Commissioner Rene Gonzalez

Commissioner Mingus Mapps

Mayor Wheeler presided.

Officers in attendance: Ken McGair, Senior Deputy City Attorney; Keelan McClymont, Council Clerk

The Consent Agenda was adopted on a Y-5 roll call.

Council recessed at 10:13 a.m. and reconvened at 10:39 a.m.

Council recessed at 11:40 a.m.

Communications

67

[Request of Elexis Moyer to address Council regarding participatory budgeting charter amendment](#)

(Communication)

Document number: 67-2023

Disposition: Placed on File

68

[Request of Dusty McCord to address Council regarding occupants in abandoned bar](#) (Communication)

Document number: 68-2023

Disposition: Placed on File

69

[Request of Barrett Lewis to address Council regarding drug ring operation on SE Stark St](#) (Communication)

Document number: 69-2023

Disposition: Placed on File

70

[Request of Susan Fried to address Council regarding light nuisance](#) (Communication)

Document number: 70-2023

Disposition: Placed on File

Time Certain

71

[Amend the Comprehensive Plan and the Planning and Zoning Code to create the Planning Commission and dissolve the Planning and Sustainability Commission \(amend Code Title 33\)](#) (Ordinance)

Document number: 191150

Introduced by: Commissioner Carmen Rubio

Bureau: Planning and Sustainability (BPS)

Time certain: 9:45 am

Time requested: 15 minutes

Second reading agenda item 64.

Disposition: Passed As Amended

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

Consent Agenda

72

[*Create the Cully Tax Increment Finance District Debt Service Fund](#) (Emergency Ordinance)

Document number: 191146

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance; Revenue and Financial Services

Disposition: Passed

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

73

[*Pay settlement of Melissa and Eric Oberste property damage claims for \\$13,197 involving the Portland Bureau of Transportation](#) (Emergency Ordinance)

Document number: 191147

Introduced by: Mayor Ted Wheeler

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

Disposition: Passed

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

74

[Authorize the Chief Administrative Officer or designee to negotiate and execute one or more lease agreements for storage space to support the Portland Bureau of Transportation Portland Streetcar operations](#) (Ordinance)

Document number: 191158

Introduced by: Mayor Ted Wheeler

Bureau: Facilities; Management and Finance

Disposition: Passed to second reading

Passed to second reading February 1, 2023 at 9:30 a.m.

75

[Amend Building Regulations Code and Heating and Ventilating Regulations Code to clarify fee provisions and adopt State of Oregon 2022 Editions of the Oregon Structural Specialty Code and the Oregon Mechanical Specialty Code \(amend Code Chapters 24.10 and 27.01\)](#) (Ordinance)

Document number: 191148

Introduced by: Commissioner Carmen Rubio

Bureau: Development Services (BDS)

Second reading agenda item 46.

Disposition: Passed

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

76

[Amend contract with ISC Applied Systems to purchase and install CCTV and Communication systems for Portland Streetcar and increase compensation not to exceed \\$3,898,573 \(amend contract 30008221\)](#) (Ordinance)

Document number: 191149

Introduced by: Commissioner Mingus Mapps

Bureau: Transportation

Second reading agenda item 52.

Disposition: Passed

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

Regular Agenda

77

[Appoint an Independent District Commission for terms to expire September 30, 2023](#) (Report)

Document number: 77-2023

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance

Time requested: 20 minutes

Disposition: Confirmed

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

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

78

[Accept bid of Faison Construction, Inc. for the Washington Park - South Entry Improvement Project for \\$7,665,763 \(Procurement Report - ITB 00001976\)](#) (Report)

Document number: 78-2023

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance; Revenue and Financial Services

Time requested: 15 minutes

Disposition: Accepted - Prepare Contract

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

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

79

[*Authorize contract with Thorn Run Partners, LLC for City representation at the Oregon State Legislature and with the executive office of the Oregon Governor not to exceed \\$360,000 \(Emergency Ordinance\)](#)

Document number: 191151

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance; Revenue and Financial Services

Time requested: 15 minutes

Disposition: Passed

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

80

[Amend contract with FacilityForce, Inc. to increase amount by \\$1 million for additional licenses, functionality, and asset data for Enterprise Facilities and Asset Management System \(amend Contract 31002231\) \(Ordinance\)](#)

Document number: 191152

Introduced by: Mayor Ted Wheeler

Bureau: Facilities; Management and Finance

Second reading agenda item 57.

Disposition: Passed

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

81

[Amend contract with Universal Protection Service, LP dba Allied Universal Security Services to increase amount by \\$661,173 for additional Professional Security Officer Services \(amend Contract 31002159\)](#) (Ordinance)

Document number: 191153

Introduced by: Mayor Ted Wheeler

Bureau: Facilities; Management and Finance

Second reading agenda item 58.

Disposition: Passed

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

82

[Accept the Portland Police Bureau report to City Council on the 2023 Portland Joint Terrorism Task Force](#) (Report)

Document number: 82-2023

Introduced by: Mayor Ted Wheeler

Bureau: Police

Time requested: 20 minutes

Disposition: Accepted

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

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

83

[Amend Floating Structures Code to replace Floating Structures Board of Appeal with Building Code Board of Appeal and make other changes for clarity and consistency.\(amend Code Title 28\)](#) (Ordinance)

Document number: 191154

Introduced by: Commissioner Carmen Rubio

Bureau: Development Services (BDS)

Second reading agenda item 59.

Disposition: Passed

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

84

[Authorize competitive solicitation and execution of price agreements for staff augmentation to support the Bureau of Environmental Services Capital Improvement Program with construction management, inspection, and program support services not to exceed \\$18 million over five years](#)

(Ordinance)

Document number: 191155

Introduced by: Commissioner Mingus Mapps

Bureau: Environmental Services

Second reading agenda item 61.

Disposition: Passed

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

85

[Declare as surplus City-owned property located at the corner of SW Council Crest Dr and SW McDonnell Terrace and authorize the Director of the Bureau of Environmental Services to proceed with a public sale of the property](#) (Ordinance)

Document number: 191156

Introduced by: Commissioner Mingus Mapps

Bureau: Environmental Services

Second reading agenda item 42.

Disposition: Passed

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

86

[Authorize Portland Water Bureau Director to execute certain Intergovernmental, Utility, and Cooperative Improvement Agreements with the Oregon Department of Transportation for projects that have potable water infrastructure services in construction areas](#) (Ordinance)

Document number: 191157

Introduced by: Commissioner Mingus Mapps

Bureau: Water

Second reading agenda item 63.

Disposition: Passed

Votes: Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea

Wednesday, January 25, 2023 2:00 pm

Session Status: Adjourned

Council in Attendance: Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Commissioner Rene Gonzalez

Commissioner Mingus Mapps

Mayor Wheeler presided.

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

Council adjourned at 3:02 p.m.

Time Certain

87

[Amend Planning and Zoning Code in accordance with the Electric Vehicle Ready Code Project Recommended Draft to create regulations and standards for electric vehicle infrastructure \(Amend Code Title 33\)](#) (Ordinance)

Document number: 191164

Introduced by: Commissioner Carmen Rubio

Bureau: Planning and Sustainability (BPS)

Time certain: 2:00 pm

Time requested: 90 minutes

Information found at <https://www.portland.gov/bps/planning/ev-ready>.

Disposition: Passed to second reading

Passed to second reading February 8, 2023 at 10:05 a.m. Time Certain.

Oral and written record closed on January 25, 2023.

Thursday, January 26, 2023 2:00 pm

Session Status: No session scheduled

**Portland City Council Meeting Speaker List
January 25, 2023 - 9:30 a.m.**

Name	Agenda Item
Mayor Ted Wheeler	
Keelan McClymont	
Commissioner Carmen Rubio	
Commissioner Dan Ryan	
Commissioner Rene Gonzalez	
Commissioner Mingus Mapps	
Ken McGair	
Elexis Moyer	67
Dusty McCord	68
Diana Shiplet	77
Biko Taylor	78, 79
Nils Tillstrom	79
Charles Lovell	82
Mark Friedman	82
Jude al-Ghazal Stone	82
Marleen Wallingford	82
Brandon Mayfield	82
Dan Handelman Portland Copwatch	82
Debbie Aiona	82

**Portland City Council Meeting Speaker List
January 25, 2023 - 2:00 p.m.**

Name	Agenda Item
Mayor Ted Wheeler	
Keelan McClymont	
Commissioner Carmen Rubio	
Commissioner Dan Ryan	
Commissioner Rene Gonzalez	
Commissioner Mingus Mapps	
Lauren King	
Patricia Diefenderfer	87
Ingrid Fish	87
Eli Spevak	87
Victoria Paykar	87
Jacqui Treiger	87
Anthony Bencivengo	87
Joy Davis	87
Elyssia Lawrence	87
Bob Gravely	87
Noelani Derrickson	87
David Yasnoff	87
Tim LeMaster	87

Portland City Council Meeting Closed Caption File

January 25, 2023

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: Mayor ted Wheeler: morning session of the Portland City Council. Good morning. Keelan, please call the roll.

Speaker: Keelan: [roll call]

Speaker: Mayor ted Wheeler: now we'll hear from legal council on the rules of order and decorum.

Speaker: City Council is holding meetings with in person attendance, in addition to electronic attendance -- [www.Portland.gov/council /agenda](http://www.Portland.gov/council/agenda). The public may sign up for communications to briefly speak about any subject. You may also sign up for public testimony on resolutions, reports, or the first reading. 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. The presiding officer preserves order and decorum during City Council meetings so everyone can feel welcome, comfortable, respected, and safe. The presiding officer determines the length of testimony. Individuals normally have three minutes to testify unless otherwise stated. Disruptive conduct, such as shouting, refusing to conclude your testimony when your time is up, or interrupting other's testimony or council deliberations -- may result in the person being ejected for the remainder of the meeting. A person who fails to leave the meeting may be subject to arrest for trespassing. -- council may take a short recess and reconvene virtually.

Speaker: Mayor ted Wheeler: item number 67, please.

Speaker: Keelan: request of elexis moyer to address council regarding participatory budgeting charter amendment.

Speaker: I am a little sick, so please bear with me. I am elexis moyer. I am 21 years old, raised in southeast Portland. I grew up participating in advocacy across the state and local government since I was 14 years old. I'm here today to speak on the participatory budget charter amendment. Mayor Wheeler, seeing you here today reminds me of my service on the youth commission. It is an interesting experience to be present as during my advocacy I was worried about the city funding bus passes so my friends and I could make it to school and work. When I went through homelessness, addiction, domestic violence, discrimination, and also abuse by Portland police officers, it wasn't possible for me to be in community or positions of advocacy. My experience is that participation in state and local government is a continuous fight to access this process and to be heard by public officials. The city holds meetings and different avenues of communication for elected officials to get input from residents. But really, I don't feel that people most impacted by decisions you make are truly heard. Participatory budgeting redistributes decision-making power and responsibility in the hands of those continually disregarded or overlooked. I would be testifying today if I hadn't had a chance to experience a participatory budgeting process this last June. It has given me the opportunity to engage with other youth and young adults across east Portland and beyond. Our budget with youth voice youth vote project is allocated \$500,000 for covid relief and recovery by and for youth east of I-205. The project was designed as is being in limited by east Portland youth. Your decision to refer the participatory budgeting charter amendment to voters will show that you understand that your core responsibility is providing the participation of all in decisions that affect our lives. That you value that community members have dedicated their lives. I ask, mayor Wheeler, this is your chance to fulfill your 2016 pledge to bring participatory budgeting to Portland and help create an equitable just Portland, one that makes it possible for us to all be a part of the city that we love. Thank you for your time today.

Speaker: Mayor ted Wheeler: thank you. Elexis, just a couple of comments. First of all, it's good to see you again and get well. It's going around. A number of people on my staff have been waylaid by the cough you have now. In regard to participatory budgeting, I do think that participatory budgeting is a good idea. In certain circumstances, we have used it from time to time. What is put before the City Council is a comprehensive overall participatory budgeting strategy and I intend to look at it carefully, and just to be 100% transparent, I also intend to weigh it with the other significant changes we are currently making in city government. There is a major effort underway to transition our form of government to a new form of government, and that is an all hands on deck effort, and I will be honest with you. I am concerned about the amount of change, the pace of change, and the band with the leadership of the city has to be able to do all of these things effectively by January 21, 2025. I want you to be aware this is not a shoe in for me. This is something I want to consider carefully and weigh in not only the merits of the proposal, but implement them effectively as intended by those who drafted those by the deadline required. Next of all, I just want to reiterate something. I think you and I have discussed previously listening to and agreeing with our two separate things. I'm often accused of not listening because I don't agree with somebody's position. I want to assure you I do have many roads for community input. I listen carefully and often I change my mind. That shouldn't be interpreted as not listening. Finally, I just want people to remember this is a represented form of government. There are many ways people can join us here on dais. The 20 2014 election cycle will have 12 seats. All seats will be open for City Council. The mayor will be up for reelection, and I encourage your participation. You have a strong voice in this community and he fled from an early age and that is something I would urge you to consider. That's just my thoughts this morning. It's good to see you, elexis.

Speaker: Thank you, mayor Wheeler.

Speaker: Mayor ted Wheeler: item 68, please.

Speaker: Keelan: request of dusty mccord to address council regarding occupants in

abandoned bar.

Speaker: Can you hear me?

Speaker: Mayor ted Wheeler: we can see you, too.

Speaker: Hello, my name is dusty and I'm vice chair of the neighborhood association. I'm here to ask the council to execute the cleanup of the dangerous individuals who have taken up the tavern. The occupation of this space has lasted for more than a year now and we need your help. Last year the residents created a homeless shelter in our neighborhood. We were assured by the organization and the city that no camping would be allowed at the shelter. Shortly after the facilities were open, we had huge encampments for blocks and in short order we had a massive issue with squatters in multiple locations. The neighbors fought off most of the squatters, but the individuals in the old tavern, which is across the street from the tavern, proved to be dangerous to everyone, even neighbors in the shelter. As the situation has escalated, the owners of the property and police have been completely unresponsive. Last week when the fire department twice escalating fears that nightly fires could spread to our homes. Neighbors have had physically assaulted and have had guns shoved in their faces. Prostitution out of vehicles in front of their homes near the site. The squatters are chopping down trees in the neighborhood to burn with piles of trash. Fostered a huge colony of rats and cockroaches that are destroying the nearby homes and cars. The current situation is nothing short of a disaster that has been traumatizing our neighborhood for over a year. We are desperate for help. We fear for the safety and well-being of our families and homes and individuals on the property. How can residents of Portland be assured that this exact problem won't happen outside of proposed city section camping sites? Please help further the effort to make our streets safer by addressing the tavern 7421 n. Denver avenue. There's so much that I cannot share in my three-minute allotment. I would love for you to join our next association meeting and hear directly from the community. If you have questions, please reach out.

Speaker: Mayor ted Wheeler: dusty, don't go anywhere because we know we have a lot

to say on this subject. Will start with commissioner Mapps and go to commissioner Ryan. Commissioner Ryan, why don't you go ahead and go. No, Rubio? Commissioner Rubio. You bet. Rubio, maps, and anybody else.

Speaker: C. Rubio: dusty, I just want to say thank you for showing up today and sharing your experience. I was just assigned in my portfolio and I want to let you know we are digging in. My staff has been looking into this over the past couple of days and we have your contact information, so we will circle back. I know other people have comments as well.

Speaker: Mayor ted Wheeler: commissioner Mapps.

Speaker: M. Mapps: dusty, number one, thank you for showing up to testify today. I'm sorry the situation evolved in the way it has evolved. My office is aware of this particular situation and I know a number of city bureaus have engaged in this. I want to make sure that someone from city hall connects with you. If commissioner Rubio's office wants to be the lead on this, that's great. We can work together. Will make sure that either someone from Rubio's office or my office works together and briefed on was likely to be done and what comes next.

Speaker: Mayor ted Wheeler: commissioner Ryan.

Speaker: D. Ryan: thanks for being here. I'm well aware of the situation. Know that I place numerous calls to the county, who opened and operates the shelter. I know you said city, and that's okay, but they do oversee that space. And so, it's a way of just informing you that taking your testimony to the county about specific shelter would be very smart in terms of good government. About the site, the red barn, is that what you're talking about?

Speaker: Yes.

Speaker: D. Ryan: I'm glad, commissioner Rubio, you were on that. I will say the opening of that shelter was pretty quick. The good neighbor agreement has to be good, and that means the providers who oversee are part of that good neighbor agreement. This contracts are done by the county's office of home services. We have to remember the

shared responsibility here. Thank you.

Speaker: Mayor ted Wheeler: commissioner Gonzalez.

Speaker: R. Gonzalez: dusty, think you so much for testifying. This has been one of the disappointments and story of the community welcoming a shelter, supporting a shelter in their neighborhood and no good deed going unpunished. Well aware of your communities support and commitment to the shelter out of the gate and I just have to say collectively we've got to do better in protecting neighborhoods that are supportive of these type of shelters. Thank you for your neighborhood's patience. Thank you for testifying here and only can say no is collectively got to do better for you.

Speaker: Mayor ted Wheeler: i'll chime in. Dusty, this is probably taking longer than you imagined. We want you to understand we find this situation completely unacceptable, as do you and your fellow neighbors. I won't -- I also just want to differentiate this from what we are proposing with our service hubs, the areas that will bring people closer to the services that they need. We are in the rfp process for a service provider. The rfp is extremely clear that these surrounding areas are kept [lost audio] opportunities with some risk [lost audio]

Speaker: Keelan: request of barrett lewis to address council regarding occupants -- drug ring operation on se stark st.

Speaker: Mayor ted Wheeler: good morning.

Speaker: Keelan: going to join us in person. Is barrett here?

Speaker: Mayor ted Wheeler: barrett? They're good. Next individual, item 70.

Speaker: Keelan: request of susan fried to address council regarding light nuisance. They canceled their request.

Speaker: Mayor ted Wheeler: list of the consent agenda first. Have any items been pulled from the consent agenda?

Speaker: Mayor ted Wheeler: please call the roll.

Speaker: Keelan: [roll call]

Speaker: Mayor ted Wheeler: consent agenda is adopted first time certain item. Please,

item number 71. This is a second reading.

Speaker: Keelan: them in the comprehensive plan and the planning and zoning code to create the planning commission and dissolve the planning and sustainability commission.

Speaker: Mayor ted Wheeler: colleagues, this is a second reading. We have already had a presentation and taken public testimony. For the record, I was at the mayor's conference and have not heard the first reading. I have reviewed the record and prepared to vote today. Is there any discussion on this item? Seeing none, these call the roll.

Speaker: Keelan: Rubio.

Speaker: C. Rubio: first, I would like to thank staff and also our event consultant for their tireless work on this project and amendment and thank you to psc members and all the heavy policy lifting. Just to recap quickly from us, even though we'll be creating a new climate and sustainability creation, hopefully by years and the planning commission will continue to take an intersectional approach on their work informed by equity. We know that Portlanders are ready to engage. I vote aye.

Speaker: Keelan: Ryan.

Speaker: D. Ryan: thank you so much, bps staff and sustainability commission members for diving into system change. Kudos to you, commissioner Rubio, for leading the thought process that results in these code amendment. I really think we are doing the right thing. Climate price -- crisis. To better focus on planning and land-use issues, while also enforcing the goals of the comprehensive plan. I cannot think of a better time for the city to dream big. It's time to implement those dreams so we can be a city of destination for those of us who are in awe of the compliments -- accomplishments. I look forward to the formation of the new planning commission and a citywide sustainability climate commission so the critical life supporting work -- build the nation's most prosperous green economy. This is a step in the right direction. I vote aye.

Speaker: Keelan: Gonzalez.

Speaker: R. Gonzalez: aye.

Speaker: Keelan: Mapps.

Speaker: M. Mapps: I want to thank sustainability for bringing this item forward. I'm confident this reform will support land-use planning and will enhance our efforts to do groundbreaking work around sustainability issues. For these reasons and more, I will aye.

Speaker: Keelan: Wheeler.

Speaker: Mayor ted Wheeler: I would like to thank commissioner Rubio for taking the lead on this. This is one of those issues that could be potentially thorny and very challenging and, commissioner, you took charge of this and I think did an exceptional job working with aps staff, as well as commission members I think we can all build agreed that the intention behind sustainability is very good and there's a lot of reasons people made that -- when they made it. However, operationally, it's been challenged from the get-go. I believe this decision will allow us to do a better job, focus on the finer points of planning, as well as fulfill a commitment around addressing climate change. [lost audio] the ordinance is adopted. Next item, regular agenda item number 77.

Speaker: Keelan: appoint an independent commission for terms to expire September 30, 2023.

Speaker: Mayor ted Wheeler: colleagues, -- an important mile in the implementation -- as prescribed in the charter, it is passed with a very narrow work plan to be completed September 1 of this year. [lost audio] engage Portlanders on criteria. Hold two public -- to adopt a district plan and ensure district maps are consistent with state and federal laws and criteria. Moving forward, Portlanders -- representatives creating 12 members. Today, seeking council approval of team members to serve independent district commission, now called idc. In addition the planning appointment of three interim members and three observed alternate members to complete its work within a very short timeline, as prescribed by charter without any delays we received 279 applications for this 13 person commission. I want to thank all of the Portlanders who applied to serve their city. It made for a difficult selection process. I also want to thank the charter commission team,

including diana and sophia, who are with us today, including my staff and council colleagues for working with my office to form what I think is an impressive list of employees. I will turn this over to project coordinator in the office of management and finance to introduce our idc nominees to the commission.

Speaker: Good morning, mayors and commissioners. I'm honored to be here today. I use she/her pronouns and I'm with -- unfortunately, today, my colleague, sylvia, who is the project manager for the independent commission, who was an -- unable to attend. As mayor Wheeler stated, today marks an important step in the implementation of the amended city charter. Before we begin, I want to thank the many people who bring the recommended commission appointees to you today. This would not have been possible without the assistance of civic life, the city's attorney office, council staff, particularly haley in the mayor's office, as well as my coworkers on the transition team. Thank you all for your collaboration. As a reminder, district commission [lost audio] we received -- [lost audio] I want to remind everyone that serving independent commission is not the only way -- engaging providing input, email, community surveys, and encouraging your friends and neighbors to participate in the process that broad input can be gathered is also vitally important. The process for selecting the 13 commissioners, three alternate, and three reserve alternate, began with members scoring application based on three criteria. One, skills and knowledge and lived experience that will help the independent commission fill its work, such as prior experience with the -- community engagement or local government. A commitment to and experience with advancing equity. Three, a demonstrated ability to support efforts of the independent district commission. A connection to the city, such as private, nonprofit, philanthropic, faith-based, or racial ethnic communities. Because this affects all Portlanders, it's important to have a commission that's connected to an assortment of Portland's communities. This scored list of applications was then used by mayor and commission offices to select those for appointment today. You may wonder why we are asking for the appointment of 13 members +3 alternate --

Speaker: Mayor ted Wheeler: can I make sure we are on the right side here?

Speaker: Thank you.

Speaker: Mayor ted Wheeler: there we go. Thank you.

Speaker: There are two reasons for this. The newly amended charter requires they would be completed by no later than September 1 of this year. This gives the commission roughly 8 months to complete public input, discussions, map development and review, and hold the nine required public meetings. By having alternates already appointed who can step in to fill vacancies, we ensure the commission will not be delayed. Second, the plan that the independent district commission approves affects all Portlanders. Having extra voices seated around the table with lived experiences is incredibly useful, even if they are not voting members. Next slide. In addition, because the district plan will affect all Portlanders, it's important we have listeners who reside in a variety of Portland neighborhoods. However, staff does not want to influence how the commission decide dividing Portland. We chose not to show where they reside on a map. This is a general summary of where appointees live. 4 reside in northeast Portland. Sorry, 4 reside in northwest Portland, five reside in northeast Portland, and five reside in northeast Portland. Next slide. I'm pleased to be able to briefly introduce the nominees of the independent district commission. Apologies all going through them quickly, but their biographies were attached to this councilor item and will be listed on the independent district website later this week. Next slide. Previously she served as the director of advocacy for the coalition of communities of color and latino network. Next slide. [namej] is a longtime advocate for east Portland and has served on a budget advisory committee for the office of community and civic life, parks and recreation, bureau of transportation, and prosper Portland. She is a member of tri met hazelwood safety project. [name] is a retired city planner who purposely worked for Portland's bureau of transportation. He has served as both president and board member for the American planning association and green empowerment. [name] owns more -- sorry, be more management llc and has worked for fortune 500 companies, such as royal caribbean cruise lines, macy's, and

colombian sportswear. He is a member of Portland's diversity and northwest regional education services district. [name] is a criminal defense attorney and the founder of edes list. [name] helps provide support to homeless Portlanders as part of the Portland streetcar writers ambassador pilot program. Previously, he worked with us senator jeff berkley. [name] is the founder and president of mandate media and the owner of seller 503. He has previously served on the citizens commission, which advised metro on its redistricting effort. [name] was a Portland coordinator for Oregon asked me and has served on the boards of aclu of Oregon, our Oregon, the safety and justice backboard, and governor -- [name] is a professor at polin state university and award-winning author of three books including political parties and representation. Next slide. [name] is the deputy director and civil rights administrator for Multnomah County's office of diversity and equity. She was a founding member of the Portland fair housing committee and served on other committees, such as the affirmative action committee and disability law action and 504 board. [name] is the ceo for the native American youth and family center, better known as nia. Director of intertribal fish commission and American indian -- coalition of communities of color. [name] begin her career before cofounding kdo advertising and public relations. She now devotes her time to supporting organizations, such as city club of Portland, Portland planned parenthood, and the Oregon entrepreneurs. [name] is the owner change dynamics llc and was previously a middle and high school teacher. He has also worked for educational nonprofits, such as educational northwest and serves on boards. I'm now pleased to introduce the alternate member nominees. As a remember -- reminder nonvoting members. [name] is the interim director of the loid district. She was one of two full-time staff of kamala harris's campaign. [name] attended psu followed by nearly 2 decades as an army officer. Currently, he supports veterans education will serving on clackamas community college and dni communities, as well as the organ association of veteran schools executive committee. [name] is the founder, president, and ceo of seba, a global company. Also cei -- he has served on many boards, including the children's hospital foundation, university

of Oregon's school of architecture and design management institute advisory council. He's also a regular contributor of the institute journal. Next slide. Last, but not least, the reserve alternate members. These will not participate in the work of the commission, but asked to stay informed should they be needed to step into either an alternate or commission role. [name] owns the real estate company, wilson development group, and is a partner in mainland west llc. He has served on bodies, such as housing commission, and the Multnomah County charter review. Sarah thompson is a labor negotiator with Oregon asked me council 75. She previously worked for nurses association, sciu and labor industries. [name] is an attorney specializing --

Speaker: As I recall, last time around since this redistricting data was released in October. I used to do some redistricting stuff. I'm not sure that we are in sync.

Speaker: Items that upon review may pose substantial implementation challenges --
[encoder disconnected] [lost audio]

Speaker: I think that things would have, public engagement would have been even more robust. We are hoping that as part of this we are going to open the engagement broader earlier. Give more time after they make their decisions to have community engagement.

Speaker: That's well taken.

Speaker: Mayor ted Wheeler: commissioner Mapps.

Speaker: M. Mapps: I'm a little behind on the current status of the rights act and want to be very relevant here. Also really novel electoral system. I don't think it's been tested, so I think I hope that we can explore it. I don't know if I make this request to you or the attorneys, but I'd love to see a memo on that.

Speaker: We will get that to you.

Speaker: Mayor ted Wheeler: Keelan, any luck with captioning?

Speaker: Keelan: we should probably take a short recess.

Speaker: Mayor ted Wheeler: let's take a short five minute recess and see if the folks upstairs can fix that. We are in recess. [recess]

Speaker: Mayor ted Wheeler: Keelan, are you going to put up that slide? Thank you for

your patience on this. We have been troubleshooting issues with our captioning system. There are a number of people who rely on our captioning system for what we do on the City Council. I'm sorry there is clearly an issue with it. It says captioning is unavailable for the rest of the meeting. Closed captions will be posted to youtube at the usual place, www.Portland.gov/cancel/agenda. Hopefully that will be later this afternoon. Keelan?

Speaker: Keelan: yeah, we're going to work on it.

Speaker: Mayor ted Wheeler: where you left off is the middle of item 77. This is the independent district commission and diana was answering questions. I don't know if anybody had other questions at this point, and if not, I'd entertain a motion to move. Before so moved.

Speaker: Mayor ted Wheeler: can I get a second?

Speaker: C. Rubio: second.

Speaker: Mayor ted Wheeler: any discussion? Seeing none, please call the roll.

Speaker: Keelan: Rubio.

Speaker: C. Rubio: I want to say how impressive this group is and I'm really grateful for their willingness to serve. It's really important work at an important time for the city and they will be quite literally making history as they begin the process to create these districts in our new form of government. In their diversity by sector and lived experience, all of that. I'm very thankful and want to thank the new appointees for stepping up to serve our city. I vote aye.

Speaker: Keelan: Ryan.

Speaker: C. Rubio: yes, thank you, diana, again for this report. And to all people who applied. It must've been a tough decision. Thank you to the mayor's office for driving this process and, unfortunately, people might not be able to finish it. It's going to be a sprint. Thank you to the impressive people who will be serving. My advice was to really build more authentic time process for the community to wait and after the final draft proposals made available to the community to build on that. Not only will improve the practice -- I vote aye.

Speaker: Keelan: Gonzalez.

Speaker: R. Gonzalez: aye.

Speaker: Keelan: Mapps.

Speaker: M. Mapps: I want to thank the volunteers for agreeing to serve on this committee. I vote aye.

Speaker: Keelan: Wheeler.

Speaker: Mayor ted Wheeler: thanks again to diana and the transition team for their work on this important and historic process. I'd like to thank my staff, as well as my fellow commissioners and their staff for ensuring we are revisiting diverse backgrounds and perspectives from all parts of our amazing city, as well as making sure we have the people with the background and lived experience and knowledge to do what's going to be ultimately very complicated work. I want to thank the commission members for their willingness to serve. As my colleague said, we had a tremendous pool of applicants. I'm sorry we couldn't take everybody who applied. I want to say I appreciate the time and talent who are serving either as commissioners or alternates to this commission and we will be watching your work very closely as it is historic and important work. Thank you for your service. I vote aye and the appoints are approved. Thank you. Item number 78, please. This is also a report.

Speaker: Keelan: accepted bid of faison construction for the Washington park south entry improvement project for 7,665,763 dollars.

Speaker: Mayor ted Wheeler: this report authorizes work to enhance the entry better access for pedestrians and cyclists, increase sidewalks and signage, and provide a functional storm water garden in the park. As always, have chief procurement officer here to walk us through. Good morning and thanks for your patience.

Speaker: Good morning, mayor Wheeler. For the record, I'm the chief procurement officer. Council approved on October 5, 2022, for this project. The engineering estimate for this project was \$5.2 million. Procurement services issued invitation to build on October 6, 2022, with a due date December 13, 2022. In total, we received 4 bids for the

project. Faison construction incorporated was the low bidder on the project and is the recommended awardee by the parks team. Their bid came in at \$7.665 million, which is approximately 45% above the engineering estimate. On behalf of parks, I'm going to provide some remarks on why the bid came in high. Despite having completed a professional cost estimate by the engineering team at parks, this budget came in higher than estimated. We believe this is the primary result of a lack of available labor in the construction trades, specifically at the subcontract level. Volatility and a supply chain that persists, and also construction escalation costs. The parks team conducted a study between 2018 and present that has been tracking unusually high construction escalation costs across multiple industry indexes, and they continue to address their estimates in accordance with the current market escalations. Specific to this project, the degree of difficulty and variation in the work from odot confined needs to provide craftsman created an additional level of difficulty in the bidding process. Finally, the parks engineering team have analyzed a collection of bids and found them to be competitive within a reasonable range of costs. The bureau finds the bid within budget for this project. We'll move on to covid numbers. The city's standard 20% aspirational goal applies to this solicitation and here's the following breakdown utilization that was submitted by faison construction. 33.6% will be completed by faison construction. 23.8% will be completed by certified co-bid contractors, and roughly 42% will be completed by noncertified contractors. For my part, I'd like to make a comment that faison is of african-American owned firm and total on this project, 41% of this project, will be executed by african-American owned firms. We also want to acknowledge that 50% of this project will be completed by women. From a covid perspective, and also a minority empowerment perspective, this is a great contract for us and we are proud for parks for reaching out and their team for going through extra effort to provide this opportunity. Faison construction incorporated is located in Portland, Oregon, and is a state covid contractor and is african-American male owned. They have a current city of Portland business tax registers and is in full compliance with requirements. Funding for this project is included

in the five-year capital budget beginning in fiscal year 23. Through parks system developing charges, the parking meter fund, the 88 transition plan, and percent for green grant, and as well as odot. If there any questions about this process, I'd be happy to answer them now.

Speaker: Mayor ted Wheeler: tanks. Colleagues, any questions for director taylor? Do we have any testimony?

Speaker: Keelan: no one signed up.

Speaker: Mayor ted Wheeler: allah except -- please call the roll.

Speaker: Keelan: Rubio.

Speaker: C. Rubio: I want to thank the director and his team and the great work of park bureau team on this project. Very excited to see it move forward.

Speaker: Keelan: Ryan.

Speaker: D. Ryan: that was a superb presentation. You covered everything I would've wanted to ask about. Thanks. Commissioner Rubio is aware the parks has been focused on this for quite some time and there was extensive engagement and outreach. It's quite complex, as you know. Excited to see the project move forward. Great news on who is actually doing the building. Definitely meeting our goals and beyond. I'm very happy to vote aye.

Speaker: Keelan: Gonzalez.

Speaker: R. Gonzalez: aye.

Speaker: Keelan: Mapps.

Speaker: M. Mapps: I want to thank the director for your presentation and work on this. I'm heartened by these covid numbers. Really great work there. I appreciate your explanation for why the final bid is so much higher than our estimated bid. It's worth underscoring that because I think everyone or every bureau that is in the process of doing construction faces this problem and it's sobering given the inflationary pressures that we face. But this is a good project and this is an important project and I am glad to vote aye.

Speaker: Keelan: Wheeler.

Speaker: Mayor ted Wheeler: there so many things that I could say, but I won't say them all. This is a vision that's been in the works for a long time. I don't know that I would still be here by the time this vision was realized and I'm very grateful to you and the commissioner in charge. Well, commissioner Rubio previously. Now, it's commissioner Ryan. I also want to thank all of the many, many volunteers in the community who pushed hard for this mission. I don't believe this could have happened without the public voting for the parks levy to make the resources available, this is great. When it's done, I think people are going to be justifiably proud of it. Thank you for bringing this part meeting all the goals this council is established through procurement. I agree with commissioner Mapps. Inflation is a thief that comes in the night and steals from all pockets, whether it's your private back pocket with the governments pocket. The bottom line is there's no way this could possibly be built under the original estimates because the cost of everything has gone up significantly since we first saw the financial profile of this project, but I think you've done the best you can and I'm very proud to vote. Windows the work start?

Speaker: I can answer that. Soon.

Speaker: Mayor ted Wheeler: I'm getting old. Thanks. Appreciate it. Except, please. Item 79.

Speaker: Keelan: authorize contract with thorn run partners for city representation at the Oregon state legislator and with the executive office of the Oregon governor not to exceed \$360,000.

Speaker: Mayor ted Wheeler: colleagues, this is further proof that we never give up. This authorizes a contract with thorn run partners llc to address an acute staffing shortage within our office of government relations state team. This agreement will ensure legislative priorities, especially those related to homelessness and public safety are advanced during the 2023 legislative session. Chief procurement officer as well as director for office of government relations are here to focus through the ordinance.

Welcome back.

Speaker: Good morning, there. I'll keep this brief. On January 4, 2023, City Council accepted the city of Portland's state legislative agenda. The purpose was to advance the legislative priorities at the state legislator. The office of government relations team had a sudden and acute staffing shortage that resulted in inadequate staffing levels. The representation in the office of government relations team -- [captioner reboot. No connection]

Speaker: Mayor ted Wheeler: I want you to know significant outreach from legislators requesting data and information they can use to support that. On homelessness, I will just say this. We need more housing. We need services close to the people who need those services through the -- we have provided in designated areas. With 800 and countenance we cannot possibly provide adequate support, outreach, or follow up to be a meaningful difference in the lives of so many people struggling on our streets. Last, but not least, we want to create an incentive for people to be able to seek services. All of that is going to -- and this team I saw you all meet today briefly as you were scoping out the strategy. We've got a great team and you guys are playing an instrumental and I want to thank you for it. Mapps made up for it by just voting yes and I will vote aye in the emergency ordinance is adopted. Thank you. Next item, please. 80. Space examine contract to increase amount by \$1 million for additional licenses, functionality, and asset data for enterprise facilities and asset management system.

Speaker: Mayor ted Wheeler: this is a first reading of ordinance. This will allow omf to purchase additional licenses to fund equipment inventories and asset tagging at 23 different omf locations for long-range facilities renewal planning.

Speaker: Keelan: mayor, I'm sorry to interrupt. This is a second reading.

Speaker: Mayor ted Wheeler: oh. So it is ignore everything I'm saying. Although its relevant comments additional information you don't need. Any discussion? Please call the roll.

Speaker: Keelan: revealed?

Speaker: C. Rubio: aye.

Speaker: Keelan: Ryan?

Speaker: D. Ryan: aye.

Speaker: Keelan: Mapps?

Speaker: M. Mapps: I'm happy to see the city's increase in asset management. Here's why. In my time on this council, I believe in delivering high quality services to the people of Portland at a good price requires vigilant monitoring and maintenance of our city's assets. I don't work session, this council will receive a report on the status of asset management systems in different city bureaus, amongst other things, that report will show that our struggles with asset management. This ordinance will make our asset management and asset management, which is why I vote aye.

Speaker: Keelan: Wheeler.

Speaker: Mayor ted Wheeler: 100%, this ordinance is adopted.

Speaker: Keelan: admin contract with universal protection services universal security services to increase amount by \$606-\$1173 for additional professional security officer services.

Speaker: Mayor ted Wheeler: we have already had a presentation and taken testimony on this. There any discussion? Seeing none, call the roll.

Speaker: Keelan: Rubio.

Speaker: C. Rubio: I'm pleased to support this contract. I vote aye.

Speaker: Keelan: Ryan.

Speaker: D. Ryan: yes. With deep appreciation for the serving in these roles, I vote aye.

Speaker: Keelan: --

Speaker: Safety on the job is a major concern for this council and for our public servants. And it's increasingly been a problem. For example, environmental services staff tell me that they have seen a dramatic increase in vandalism and violence that our cities pump stations. Contract before us today will bolster environmental services public safety team, which is amongst the reasons I will vote aye today.

Speaker: Keelan: Wheeler.

Speaker: Mayor ted Wheeler: this was a topic at the us mayors meeting in Washington, dc. Across the board we are seeing more violence directed towards in particular government officials, but not exclusively. I want to commend our security team here in city hall, particularly I want to personally thank those who work with me on a variety of issues. I really appreciate their services. I vote aye in the ordinance is adopted. Colleagues, if you don't mind, I'm going to skip and finish the rest of the second reading. Item 83, also a second reading.

Speaker: Keelan: admin floating structures code to replace floating structures board of appeal the building code board the pale -- sorry. With building code board of appeal and make other changes for clarity and consistency.

Speaker: Mayor ted Wheeler: any further discussion? Please call the roll.

Speaker: Keelan: Rubio.

Speaker: C. Rubio: I want to thank the team for their work on this ordinance. This is a move in the right direction [lost audio] I vote aye. [lost audio]

Speaker: Mayor ted Wheeler: 83, second reading.

Speaker: Floating structures. Yes, on the floating structures. I vote aye.

Speaker: Mayor ted Wheeler: ordinance is adopted. 84 second reading.

Speaker: Keelan: authorize competitive solicitation and execution of price agreements for staff augmentation to support the bureau of environments services capital improvement program with construction management, inspection, and program support services not to exceed \$80 million over five years.

Speaker: Mayor ted Wheeler: call the roll, please.

Speaker: Keelan: [roll call]

Speaker: M. Mapps: I want to thank pes for their work on this ordinance. I vote aye.

Speaker: Mayor ted Wheeler: ordinance is adopted. Second reading.

Speaker: Keelan: declare a surplus city-owned property located at the corner of sw council crest dr and west mcdonald terrace and authorized the director of the bureau of

environments services to proceed with a public sale of the property.

Speaker: Mayor ted Wheeler: any further discussion? See none, please call the roll.

Speaker: Keelan: Rubio.

Speaker: C. Rubio: thank you for bringing this item forward, commissioner Mapps, and all the work that has brought us to this point. The whole diverse interests related to this property. Because it's been made clear this property is not feasible for affordable housing and because no other city bureau has had an interest in it, I vote aye.

Speaker: Keelan: Ryan.

Speaker: D. Ryan: yes. I came into last week's meeting with zero -- it's easy to understand where the passion and emotion was coming from. Thank you to those who testified and have been engaging with my office. We have been listening and I am listening. I will vote to empower the neighborhood with a sale of their property for safety. This is a step and a step in the right direction with faith that the city will include neighbors and with faith that the neighbors will play well with one another as Portland is a city of neighbors who do the right thing. I vote aye.

Speaker: Keelan: Gonzalez.

Speaker: R. Gonzalez: take you to my colleagues for the callouts there. We have been put in touch with the real estate attorney and commissioner Mapps's office is helping navigate all of this. Previous testifiers are listening, keep working with our office to connect the dots on this. We found project.

Speaker: Keelan: Mapps.

Speaker: M. Mapps: I want to reassure them that I have heard and appreciate your concerns. I also very much appreciate commissioner Gonzalez's leadership when he stepped forward to work with residents to develop a plan for neighbors to come together to purchase this property. I hope those conversations continue and I hope those efforts succeed. I vote aye.

Speaker: Keelan: Wheeler.

Speaker: Mayor ted Wheeler: aye. The ordinance is adopted and 86, please.

Speaker: Keelan: authorize Portland water bureau director to execute certain intergovernmental, utility, and cooperative improvement agreements with the organ department of trance petition for products that have potable water infrastructure services and construction areas.

Speaker: Mayor ted Wheeler: please call the roll.

Speaker: Keelan: [roll call]

Speaker: Mayor ted Wheeler: ordinance is adopted. Back to item 82, which is a report, please.

Speaker: Keelan: accept the Portland police bureau on the 2023 joint terrorism task force.

Speaker: Mayor ted Wheeler: colleagues, I will turn this over to the Portland police bureau to introduce this item. Welcome.

Speaker: Thank you, mayor. Good morning, commissioners good morning, mayor. Thank you for having us and giving us time to present this report. I'm feeling remarks and going to turn it over to the sergeant for presentation of this report. This jtff report documents the relationship between the Portland police bureau and terrorism task force. As directed by City Council resolution 37-424. This partnership for those strict guidelines as an important component in regard to public safety in our city. It's important to recognize city concerns around ppd relationships around federal entities. I know politically this is been something -- City Council for many years. That's why I want to reiterate that ppd means committed to accountability and adheres to strict guidelines and that includes our work with federal agencies. With that, I would like to handed over to sergeant mark freeman to present this year's report.

Speaker: Appreciate that. Good morning, mayor Wheeler and commissioners. I'm assigned to supervising officers official staff assigned to criminal unit. City Council fred -- a frequency of which fbi requested the assignment of officers for an investigation. The number of cases that were referred to ppd and number of cases that were referred -- finally, the number of cases referred by the fbi is to include the demographics of the

persons involved in those cases. [lost audio] from the city attorney's office to ensure compliance with all state and federal laws. You can see in our report today that annual trading was completed and at that time the city attorney also advised us that there were no state or federal changes to the law that impact or conclude the ability to work with the jttf when requested. I will summarize key information contained on the report. In 2022, the Portland jttf referred a total of 10 cases to ciu for review and investigate of assistance. Seven of those cases remain open investigations. I will be able to provide some greater detail in about three of the cases when I summarize the cases in a few moments. All of the referred cases follow the procedure outlined in our directives, 750, in which the special agent in charge of the fti made a request to the chief for assistance of ppd ciu officers and there were no other request for services from jttf to ppd that was referred to ciu in 2022. 2022 ciu ppd referred three cases to fbi for review and possible follow-up investigation. Just briefly, the nature of those cases included an individual making a threat of targeted violence. A shooting that included the death of one individual and the referral of a 2021 case that was a non-injury case connected to a protest downtown. In these instances, the known demographic collectively involved a total of 4 white males and one female white adult. Summarizing the three cases that I can talk about today that were referred to the ppd by the fti in 2022 that described criteria. Start with case number one. This is a case where the fti received a report of an individual residing in Portland that was led to engage in an illegal -- the involved individual was contacted and reviewed by Portland police bureau members. Ultimately, based on the circumstances, this case referred to the bureau of alcohol and tobacco firearms for additional follow-up. The individual involved was identified as white male adult. The second case. The fbi received report of an individual residing in Portland who was making targeted threats of violence via the internet to several federally elected officials here in Portland. The request was made by fbi to ppd to assist in this investigation and officers from ciu along with officers, agents from the fbi when contacted the individual who is involved. Based on the circumstances, the case was referred to Portland police

bureau health unit when involved. The individual involved was a white female adult. The case I'll talk about today is a case where the FBI received a report involving threats of violence to a community member or members -- most threats made via social media [lost audio] note that most of those occurred in the second half of 2022, which is part of the reason it's still open. I can't get to the specific details. [lost audio] appreciate and thank you all for your time and happy to take any questions if you have them.

Speaker: Mayor Ted Wheeler: thank you. Colleagues, any questions at this time? Do we have public testimony on this item?

Speaker: Keelan: we do.

Speaker: Mayor Ted Wheeler: let's go to public testimony.

Speaker: Keelan: We have Jude online.

Speaker: Mayor Ted Wheeler: welcome, Jude.

Speaker: Good morning. Thank you. Good morning, commissioners and mayor. Thank you so much for the opportunity to testify about the FBI Joint Terrorism Task Force. I'm here on behalf of the ACLU of Oregon. We do appreciate the increased transparency we've seen in the last few years JTTF reports, including details about demographics involved in cases. However, we are still troubled about the lack of clarity most cases mentioned in this report qualify as terrorism and more generally we have concerns about the transparency and oversight regarding the relationship between FBI and PPD. The early days of JTTF, Portland and city officials had misgivings about partnership and JTTF began around 2000 and by 2005 the city of Portland withdrew from the task force because the mayor, former police chief, was denied clearance for proper oversight. We understand the importance of transparency and police oversight, which is why in the wake of law enforcement and federal agencies like the FBI extensively disrupting civil rights and BIPOC -- this statute prohibits law enforcement agencies from collecting information about any individuals or groups, political, religious, or social associations unless it's connected to criminal conduct. The FBI is not subject to this state law, but the PPD is. Without transparent reporting on state and federal law enforcement, Portland citizens cannot

know if the ppd -- law enforcement agencies violate this law, bipoc communities, particularly black communities, muslims, arab Americans, and people with names like mine, have bore the brunt for witchhunts for terrorist activity, my grandmother, who most would consider -- active in her church and local dance group, and yet since 9/11 she has been surveilled and questioned by local law enforcement officers countless times simply because she's arab. Many undergo substantial arrests, rates, and trauma on behalf of the fbi and ppd, which is why oversight is critical to ensure Portland civil rights are protected. The aclu urges the commission to at a minimum create community focused oversight structure of the ppd is annual report in collaboration with jttf. Honest way to protect people's civil rights is to sever the relationship between the portal and police bureau and fbi. Thank you for your time.

Speaker: Keelan: next up we have marlene online.

Speaker: Mayor ted Wheeler: welcome, marlene. Marlene, can you unmute?

Speaker: Keelan: sorry. Thank you so much for having me. I'm marlene, a member of the Portland jacl board, which is a nonprofit civil rights group, which was founded 97 years ago to help japanese-Americans become more civically engaged. Our community is particularly sensitive to unwarranted surveillance because that is exactly what we encountered during the 30s and 40s and that is one day after the bombing of pearl harbor, the fbi was able to sweep through the japanese American community here in Portland. They searched homes and arrested over 100 community leaders it's our obligation to guarantee that this does not happen to any other community. There was no evidence that never community was engaging in sabotage, but there was a suspicion because of our race we were predisposed to be loyal to our ancestor's homeland. As it turns out, despite the nation's fears, not one japanese or japanese American was found to be engaged in terrorism sabotage. We left the task force until the pioneer courthouse attempted bombing incident in 2010. The arrest and conviction of a young muscleman was the culmination of a long-term undercover operation. With the collaboration of an undercover officer, the bombing was planned during the pioneer courthouse christmas

tree lighting ceremony. The device was, in fact, inert and the public was never in danger. In 2019, the Portland City Council voted to withdraw the two officers from the task force cooperate on a case-by-case basis. The Portland police was required to provide this annual report describing its cooperation. We had a chance to view the annual report for 2022, and as with previous years report, there's very little information and there's no way for the general public to know how the incidents or concerns came to the attention of the fbi or police bureau and it's not clear how the actions described could be considered domestic or international terrorism. We have been told that by cooperating with the agency, Portland police can manage their work. There's no way Portland police can have control over Portland practices. It's time -- upholding our constitutionally protected rights. The fbi needs to reflect upon its culture of white supremacy and bias against constitutionally protected protest. Thank you and we appreciate this time to be able to comment.

Speaker: Mayor ted Wheeler: thank you.

Speaker: Keelan: next up have brandon mayfield.

Speaker: Mayor ted Wheeler: welcome, brandon.

Speaker: Can you hear me?

Speaker: Mayor ted Wheeler: yep.

Speaker: Brandon mayfield. I'm here on my individual capacity and advisory board for islamic society of Portland. I want to thank mayor Wheeler and commissioners here for giving me the opportunity to share with you with some of my other colleagues are concerned with the city's involvement with the jttf. The fbi, which is the lead agency for practically all national jttf, as you heard, has a history of, well, it operates under a cloak of secrecy and has a history of targeting minorities, people of color, such as marlene expressed with japanese-Americans during world war ii with labor organizers, leftists and heavily targeted arabs and muslims, including myself, which included the legal surveillance and wrongful arrest in 2004. As marlene had just touched on, mohammed was a young teenager who is actually being investigated while he was still in high school

in beaverton in 2010. By the way, in both of those we had Portland police officers, part of the jttf, were conducting surveillance about, including myself and mohammed, our muslim associations, which is contrary to the law our aclu member had just mentioned, which prohibits activity based on your religious associations. For example, I come on myself, have documentation and surveillance law showing that ppd officers prior to my arrest in 2004 posted that night and frequented beaverton, and even though there's no evidence that I had committed a crime or was about to commit a crime, and this kind of culture continues. Even just this last weekend we heard, they not have heard about it, but a packer in switzerland uncovered the us secret no-fly list, which we've now learned has one and half million entries, which are predominantly muslim. That culture still continues to this day and for that reason I would at a minimum encourage, as our other colleagues have expressed, strengthening our reporting requirements at a minimum, and I think more portly, we should also sever our ties with the jttf completely because I don't think it squares. Thank you for this opportunity. Thank you.

Speaker: Keelan: next up we have dan handelman.

Speaker: Mayor ted Wheeler: welcome, dan.

Speaker: Keelan: dan, can you hear us? Dan, you are muted.

Speaker: My telephone is muted. Thank you. Good morning, mayor Wheeler, commissioners Mapps, reveal, and Ryan. I'm with Portland group comp watch. Portland, watch found that terrorism agreement tucked away on the consent agenda back in November 2000. For over 22 years, we've been organizing the community enjoy police don't violate the rights of people of color, civil rights activists, immigrants, muslims, and others for Oregon state law. In 2011, as you heard, ppd got back into the jttf after six years out of it. Your number in 2012 and 13 sending reports to City Council which basically said there was one case we worked with jttf. The police said they did not want to give away the investigation and tip off the so-called bad guys. When Portland got out of the jttf, the council passed a resolution, as you heard, requiring annual reports and a few of them was given some indication as to why particular the cases might be considered

terrorism or hate crimes required nexus for the ppd to work with the jtff. This year states there are 10 cases, but only detailed three of them saying they are open investigations. When making threats to community members to the media and the only one perhaps terrorism was against a federal elected official. They realized the person has mental health issues, so the case went to the behavioral health unit. Two out of three were identified as white people and the other was known as -- even though the resolutions do not call for that. The bureau sent three cases to the fbi. One about the threat of targeting violence. And one protest, which nobody was hit. There are five people involved in these three cases identifies five white men and one white female. Something that will occur when a true case arises, but stopped deputizing two officers for team ups, which seem to lead nowhere. We urge council to fix the resolution that require demographics important to fbi cases be included and to provide a clear expert explanation. To hope the resolution will include a guarantee of a contemporaneous testify -- until the council changed its policy to allow testimony on its reports. Price of liberty is eternal vigilance. It also means we must be sure our government is not violating its own principles in order to do so. I hope that you also testimony from peace Portland, and I think you for your time.

Speaker: Mayor ted Wheeler: thank you.

Speaker: Keelan: next up we have debbie iona.

Speaker: Mayor ted Wheeler: welcome, debbie.

Speaker: I represent the women league of voters of Portland. The league first commented on the joint terrorism task force into thousand one and we have shared our views on this issue with City Council throughout the years. We appreciate the annual reports and the opportunity provide oral testimony again this year. You may wonder the league of women voters has an interest in the joint terrorism task force. Our interest in this stems from the vision to provide active and informed participation in government. We believe democracy is strengthened when members of the public vote, express their views for a decision-making body, or joining a demonstration. In Oregon, we are fortunate that state law protects participation in first madman activities unless there are

reasonable grounds to suspect criminal conduct. On the other hand, fbi actions in Oregon and around the country raise concern those protections may be ignored when Portland police work with federal agents those concerns can and do have a chilling effect on public involvement after this unlawful dissent. In the interest of making Portland a city where community members are free to act without fear, the league encourages the cities and its case-by-case association with the fbi and in the future only work with them when necessary to pursue criminal actions. If council maintains the status quo, we suggest adding to the annual report spelling out how many bureau officers were assigned to the case described in the report and how many hours they spent pursuing them. Thank you for considering our concerns and our suggestions for improvements to the annual report. Thanks.

Speaker: Mayor ted Wheeler: thanks, debbie.

Speaker: Keelan: that completes testimony, mayor.

Speaker: Mayor ted Wheeler: thank you, colleagues. Any further discussion on this item? If not, i'll entertain a motion to approve this report.

Speaker: M. Mapps: so moved.

Speaker: Mayor ted Wheeler: second from commissioner Gonzalez. Any discussion? Seeing none, please call the roll.

Speaker: Keelan: --

Speaker: I want to first acknowledge that there are real concerns in history behind why there was a push to disengage with the jttf. I worked for mayor tom parker during this time and there were real concerns and examples of racial and religious targeting, and it's important to not forget this and their learnings that came from this. Also important to acknowledge that since that time, especially in light of recent events, that this partnership has become more transparent and to partner on specific work with the defined parameters and oversight in hopes of ensuring safety for all members of the public. There are complexities and dimensions to this project. I want to thank the chief for his commitment in navigating these complexities and working to achieve these goals. I also

want to commend the organizations who are asking important questions and keeping us informed and keeping us accountable. Maintaining public trust and transparency and opportunities for feedback [lost audio] there will be an established regular practice -- have a chance to come together and engage what they would like to see in future reports -- possible work that is underway, the learnings and the challenges that are faced. Thanks again to everyone who presented in the testimony today. I vote aye to accept the report.

Speaker: Keelan: Ryan.

Speaker: D. Ryan: thank you, chief and mark freeman for being here today, and also for the testimony we received. This is a really complex conversation. I think the testimony minded us why historically it is I remember myself it's not as compelling as the testimony we heard from people who testify today. Especially dating back to world war ii concerns and after 9/11 and those poor muslim. After 9/11, there was a lot of people who were put on a no-fly, or at least a warning. I remember every time I traveled my partner was frustrated at the time because my bags were pulled I had no idea why. Maybe it was because I was protesting the war in iraq. It took place for a couple of years. Civil liberties are always a concern. I also know we are dealing with terrorism and, domestic terrorism, particularly unlike never before. We need the flow of intelligence, so it helps and we have the transparency of those reports. I was happy to see those testifying or moving -- this needs to be a constant dialogue. We need intelligence. We need to be at the table to receive it and our job as public servants, of course, is to keep the general public safe as possible. Without nuance and the pledge we continue to have these transparent dialogues that include people from the community that are concerned I'm comfortable today receiving this report and I appreciate the move toward transparency. I vote aye.

Speaker: Keelan: Gonzalez.

Speaker: R. Gonzalez: aye.

Speaker: Keelan: Mapps.

Speaker: M. Mapps: I like to thank the chief and sergeant friedman for their presentation, and I also appreciate the public testimony that we heard today. We should

be transparent, colleagues. There is some bad news in this report. For example, I'm disappointed to learn of the manufacturer of the legal weapons in our community and I'm saddened to learn of threats of violence against elected officials and the media. At the same time, there is some good news in this report. For example, in this report I see no evidence of the city of Portland or federal government violated any laws, civil rights, or Portland values as they followed up on gun crimes and threats of violence here in Portland. In fact, this report illustrates why it's important for the city of Portland and our federal partners to work together to keep our community safe, which raises a larger policy question. In 2019, his council directed the Portland police council to withdrawal from the joint terrorism task force. Four years later, it is not obvious how that decision makes Portland safer. Which is why I believe this year this council should revisit and reevaluate our decision to hold participation in the terrorism joint task force. Until we can have that larger discussion today, I'm happy to vote aye on the question of whether or not we should accept this report. Thank you.

Speaker: Keelan: Wheeler.

Speaker: Mayor ted Wheeler: so, looking at this historically, we all know that terrorism can take many different shapes and substantial harm to the community. I also want to acknowledge the concerns that were voiced in public testimony today. I appreciate those concerns and I also want to acknowledge that the format that we are currently using today was the result of a compromise. I was one of two commissioners who voted against withdrawing from the joint terrorism task force because I felt as police commissioner and mayor it's important for me to know and understand the potential risks for people living in this community, particularly as I am the police commissioner. That said, the majority of council was supposed to continuing that relationship and I have no disrespect for their decision at that time. This compromise creates an opportunity for us. I appreciate the report, as well as the transparency around the police bureau's work around this area. I want to commend their hard work on this and I want to thank you generally for the hard work you are doing to try to improve policing in our community

and helping to keep our community safe during difficult circumstances. Thanks to you both and the rest of the ppd. I vote aye. Memo is accepted, and we are adjourned.

[meeting adjourned 11:41 a.m. Pst]

Portland City Council Meeting Closed Caption File

January 25, 2023

2:00 p.m.

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Speaker: Mayor Wheeler: this is the Wednesday, January 25th, 2023, afternoon session of the Portland City Council. Please call the roll.

Speaker: Clerk: sorry. Good afternoon. Rubio.

Speaker: Commissioner Rubio: here.

Speaker: Clerk: Ryan.

Speaker: Commissioner Ryan: here.

Speaker: Clerk: Mapps.

Speaker: Mayor Wheeler: now we'll hear about rules and decorum.

Speaker: Good afternoon. If you wish to testify before council, in-person, or virtually, you must sign up in advance by visiting the council agenda on the clerk's page. You may sign up for communications to briefly speak about any subject. You may also sign up for any testimony or first readings of ordinances. 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 close if you are a lobbyist. If you're an organization, please identify it. For testifiers joining virtually, please unmute yourself when the clerk calls your name. The presiding officer determines the length of testimony. Individuals generally have three minutes to testify unless otherwise stated. Disruptive conduct such as shouting,

refusing to conclude your testimony, or interrupting others' testimony or council deliberations will not be allowed. If there are disruptions, a warning will be given that further disruption may result in a person being ejected for the remainder of the meeting. After being ejected a person is subject to arrest for trespass. Council may take a short recess and reconvene virtually.

Speaker: Mayor Wheeler: thank you. We have one item on our agenda this afternoon. Item number 187. It's a non-emergency ordinance.

Speaker: Clerk: amend planning and zoning code with recommended draft to create standards for electric vehicle infrastructure.

Speaker: Mayor Wheeler: commissioner Rubio.

Speaker: Commissioner Rubio: thank you, mayor and good afternoon everyone. I'm pleased to create this ordinance that promotes electric vehicle charging infrastructure. This project will ensure that new residential development provides the infrastructure needed for future demand of electric vehicles. The efforts focus on multi-dwelling, and mixed use dwellings to expand infrastructure to those who may not have the means or may not own their own residence to install ev charging infrastructure on their own. The amendments are the results of years of research and advocacy done by planning and sustainability staff both at the local level and at the state level. These regulations balance the goals of the city's sustainability planning with the recently adopted state regulations. While the amendments comply with the state requirements, they also go beyond these state minimums recognizing that Portlanders have been early adopters embracing this new technology. I would like to thank the community members who participated in the ev ready projects technical advisory series including representatives from verde, imagine black, hacienda cdc. And I look forward to hearing from the public on this

matter. So I will now turn it over to bps staff sandra wood and ingrid fish to present the proposal.

Speaker: Good afternoon, mayor Wheeler, city commissioners. I'm actually standing in for sandra wood. Apologies. No worries at all. Thank you so much. I'm going to go ahead and share screen quickly and then get started on a presentation. Okay. Thank you. Good afternoon again. Patricia defendorfer with the bureau of planning and sustainability. I'm here with ingrid fish in the bureau. We're going to be making this presentation together. The project before you is a zoning code amendment that provides the rules for ev ready parking spaces on private property. Following is an outline of today's presentation. The presentation will cover the policy context related to the ev ready code project including applicable state mandates. The key elements of the proposed ordinance, some background information and a summary of the proposal and a recommendation of the planning and sustainability commission. The proposed ordinance brings Portland's zoning code into alignment with new state regulations while adopting higher local ratios. The proposed ordinance is consistent with and implements a number of plans and policies adopted by the City Council including the recently adopted climate emergency work plan. The climate emergency declaration adopted in June of 2022. The 2017 Portland electric vehicle strategy. Portland's 2035 transportation projects and the 2035 comprehensive plan. The proposed ordinance complies with the number of state requirements. Bps staff has mentioned as provided a great deal of input on and participated in a number of related state processes. Those include house bill 2180 which was passed in 2021. It set statewide minimum requirements of 20% ev ready parking spaces for new commercial and mixed use and residential buildings. That legislation also allowed local jurisdictions to exceed that minimum standard. The ev ready was defined by state during the building code divisions rule

making process. Ev ready was defined as the kind which is the medium speed charger. The state's climate and equitable will make the state's baseline from 20% to 40% with the developmental component. The goal of the project is to increase access to evcharging in the future and reduce costs associated with installing ev chargers providing the conduit to support ev's at the time of construction is significantly less expensive than to provide ready vehicle infrastructure. When more than six spaces are provided or 100% of parking spaces are when on site parking is being provided. It should also be noted that commercial buildings without dwelling units would remain at the 20% state baseline requirement. This project focuses on residential development to provide more opportunities for low income families to have access at home where most people charge their cars: the second key component is to add development standards and associated equipment when installed in new parking lots. The code does not address the installation of chargers to address the siting of chargers and equipment and generally treats them like other mechanical equipment and parking lots that grants them greater flexibility. Unlike other mechanical equipment, they will be placed into landscaping to increase site flexibility. The proposal exempts ev chargers and equipment from design standards or design review as a means to further encourage legislation. It's minimal relative to the development cost is conservatively estimated to be between 800 and 2,500 per space according to economic analysis by staff and cost estimates provided by the housing bureau. This is under a .5% and is estimated to have well under a 1% impact on the cost of rents. Pg&e and pacific power as these requirements become effective, you will hear testimony from representatives who will tell you more about that in the hearing. Now I'm going to hand it over to ingrid and thank you for the opportunity to present today. So I'm going to zoom out a little bit from where patricia was talking to share information about the broader context

surrounding this work. So it's generally accepted among sustainability professionals that established ev ready requirement social security a foundational action needed to support our energy goals. Several cities have done this and this map shows other we looked at other cities which helped develop our proposal. The percentages for ev-ready range from 20% to 100% and what we're proposing is in line with other west coast cities as shown in this table. There was a robust outreach and engagement process that informed the proposal before you. In 2020, we received a grant to convene stakeholders to discuss how to enter stakeholder access. And we commissioned a consultant, Johnson Economics who interviewed with -- held interviews with local commercial and large scale residential developers to provide input on code concepts. Next slide. So there are multiple equity considerations associated with this work. First, ev's are becoming more affordable. The availability of ev's has increased exponentially over the next decade resulting in more and new e v's available on the market. Ev's are becoming more affordable due to available state incentives. When stacking federal and state incentives. Ev's are also cheaper to own than internal combustion engines due to less expensive fuel and maintenance costs. Models show the average owner saves an average \$6,000 over the vehicle's lifetime. We're still on that. Additionally, access to ev charging to low-income and bipoc communities is important. States have committed to the sale of combustion vehicles. There will be a day when gas vehicles are unavailable and we need to ensure that bipoc and low-income communities are not left out of that transition and are able to fuel their vehicles. Due to inequitable investments and charging stations, there is a very real risk of leaving bipoc and low-income communities behind. And low-income will need to access ev charging. Next slide. So to put this in context, I'd like to share information about the city's strategy to decarbonize the city's transportation system. The first is about developing plans

that encourage or require developers to build compact and connected communities to enable people to meet their daily needs without driving. The second is reducing vehicle miles traveled by building walk, bike, and transit infrastructure to support safe and enjoyable nondriving trips. The third, which is our focus today is to transition the motorized vehicles that remain on the road to be powered by electricity. It's important to acknowledge that not all Portlanders have equal access to connected communities, ev's or nonmotorized transportation options. Therefore, this work is being implemented through a climate justice lens to decrease existing disparities and ensure clean transportation options for all. In order to prep for the up coming demand and to facilitate the transition to 0 emission vehicles, the city strategy includes making ev charging available on private property as well as in the right of way. This addresses private property and pbot is working to allow charging stations to be installed in strategic areas in the right of way. That proposal will be coming to council later this year. Bps and staff from other city bureaus are working on other various ev products. This shows the high-level categories for that work. As you can see, this proposed ev ready project is one of many projects that city staff are working on to support ev's. And now I'm going to hand it back over to patricia to summarize our proposal and wrap up the presentation.

Speaker: Thanks, ingrid. Okay. In summary, the proposed ordinance primarily does two things. It requires electrical conduits to support future ev charging spaces in multi-family mixed use buildings and it establishes development standards for ev chargers and equipment in existing parking lots. And an important thing to note about this project is there is a deadline associate Wednesday this action. The state requires local jurisdictions to have regulations in effect by March 31st, 2023, and your action on this proposal at this time will allow us to be in compliance with the

state deadline. The planning and sustainability commission held a hearing on this matter after -- sorry -- took action on this matter after holding a public hearing. They voted unanimously on October 25th, 2022, recommend the council approve this ordinance adopt the recommended draft report and associated findings. Amend the zoning code title 33 to require new multi-dwelling and mixed use with five or more in accordance with the ev ready code project and other related amendments and adopt the provisions as shown in the ordinance with an effective date of March 31st. That does include the staff's presentation and we are available to answer any questions that you may have. Thank you.

Speaker: Mayor Wheeler: very good.

Speaker: Commissioner: thanks so much for a and hencive report. Your report lays out historic purchases of what is your take in 2023. Who are we still seeing predominantly owned by wealthier individuals in 2023?

Speaker: I can't be specific because we haven't done an analysis of the specific numbers. But we do people who specifically have driveways and those with means to be able to afford ev's.

Speaker: Commissioner: you all know there's two components to this. There's acquisition cost of ev and then access to infrastructure and certainly what you're doing is addressing the latter. There's a lot out there in terms of incentivizing purchases. I guess I would state one concern on assumptions that the incentives are leading to more income (audio garbled)

Speaker: Yeah. Deq actually has numbers so I can get back to you with the numbers from deq because they are -- (audio garbled) -- we're at the point with incentives, the price of a new ev has become comparable to a new vehicle.

Speaker: Commissioner: got it. So a couple other things in terms of our -- an assessing mandates. I don't know if you're aware, the mandate we're talking about is going to exceed state requirements. That's -- or is that an oversimplification?

Speaker: True. We are increasing it. So did we evaluate and it sounds like industry is looking for incentives for developers. I'm just curious, any time we're evaluating these new code mandates, it's something we're all sensitive to that we may inadvertently be contributing to affordability challenges in the city. So I'm just curious if we evaluate alternatives and incentives in terms of an incremental mandate.

Speaker: Maybe I can just jump in. The process that staff went through to develop this code was over a long period of time and at the time, state law was evolving and so originally kind of ahead of the state and then eventually had to kind of wait for them to take the actions that they took. So it is mandatory as a result of the state law and, again, the incremental difference that's being proposed and the tailoring for the city. I think the analysis that we did shows that there's relatively little impacts on the cost of housing and so I think that was what informed staff's recommendations.

Speaker: Commissioner: so in a 50-unit multi-family apartment, let's just use that as an example, if this were to be done today, what's the projected impact on construction costs? You're still using your numbers on 50 units.

Speaker: Depends how much parking. It could be zero if they put in zero parking. If they put in a small spot, it would be, I mean, an average between 800 and 2,500 per spot.

Speaker: Right. If we just did -- I mean, we were looking at a recent project that the housing bureau helped support recently, a 150-unit affordable housing project and we don't have but the project -- let's just say that it has 20 parking spaces, that's

\$50,000 on a \$63 million project, so the cost really is an elemental and I know there's a sensitivity to that right now and we are cognizant of that.

Speaker: Commissioner: got it. And I'm always going to ask this question. At a time when we're inadvertently creating more challenges in affordable housing. One last. I've heard and you alluded to the permitting project with respect to right of ways, but what does the permitting process look like for a multi-family developer under this program? I've heard the concern we may be looking at some conflicting permits any time you're installing a charter. Is that clear in your mind like what a developer comes to you tomorrow to comply with this, what permits they need to do to go get to do this? Is that clear cut in your mind?

Speaker: It is clear cut, commissioner, because this applies to new construction. The permitting process is whatever the process would normally be and this is just a requirement that is about incorporating the conduit while constructing the building. So there isn't any different permitting process that this requirement would put a project through.

Speaker: Commissioner: got it. That's helpful. Those are my questions for now, thank you.

Speaker: Okay. Thank you.

Speaker: Mayor Wheeler: great. Any further questions at this point? We'll go right to public testimony then. How many folks do we have signed up

Speaker: We do have invited testimony. One member of our planning commission, planning and sustainability commission.

Speaker: Mayor Wheeler: all right. We'll start with that and then we'll go to public testimony.

Speaker: Hello mayor and commissioners. My name is eli steven and I'm a member of the planning and sustainability commission and this is the last time i'll

be presenting a project to you. First appreciation for the staff as mentioned. The state rules were changing. I think they changed three times in two months. They had to be very nimble in putting this project together. So thanks to Ingrid and Phillip for doing that. I'm a developer. I have put conduit and charging stations in a 23-unit project and also retro fitted a 16-unit project. The code only requires you to put the conduit in to places in the park where cars can park. It doesn't require the other things. Although adding car chargers is pretty expensive, the conduit is the cheapest part of the puzzle. And I can say that doing it upfront is a lot better than doing it better. My back can attest to that using backhoes and digging. I also want to mention in the car charging world, we don't know exactly how cars will be charged 20 years from now, but this is the least possible way making sure we're prepared for. Already, we have technologies of cars that can provide backup power for buildings. That's not on the streets yet, but things are changing so quickly. That can become an important benefit of this installation. One thing that we did a little changing on, the amendment process thanks to public comment was to ensure that chargers can be set in the setback themselves slightly. That way because you have to have a certain distance between where a car can park and a charger so you don't run into it and we don't want to have a situation on the property line. We did our best to make sure that there's bike parity because, of course, electric bikes are much more efficient than cars and it turns out we already did that back in 2020 when we did the bike thing. We required the bike park have a charging station to it. As you know, this is not a substitute for street parking. I understand from Commissioner Mapps that PBOT, but charging at home is way cheaper. I have an electric vehicle myself. I can pay \$0.10 per kilowatt or \$0.30 on the road. It's more affordable if you can charge at home. Oregon has great rebates for EV's and I want to sort of acknowledge that this is the -- we don't know exactly how things are going

to get charged, but I feel very comfortable making this standing that \$100, \$200 is going to be better long-term and I'm glad that the state and Portland are looking further ahead to when that's going to be more essential. I'm open to any questions but thank you.

Speaker: Mayor Wheeler: thanks, eli. Appreciate it. Thanks for your service. How many folks do we have signed up?

Speaker: Clerk: we have nine people signed up today.

Speaker: Mayor Wheeler: very good. I'll defer to you.

Speaker: Clerk: thank you, mayor. First up, we have victoria paycar online.

Speaker: Caller: thank you. Can you hear me okay?

Speaker: Mayor Wheeler: yep. Loud and clear. Hi, victoria.

Speaker: Caller: great. Thank you. Good afternoon mayor Wheeler and commissioners. I'm the Oregon transportation policy manager at climate solutions. Climate solutions is a regional nonprofit working towards the climate crisis. Oregon has made strides combatting climate change. Fortunately, our city and our state have been making great strides in order to reduce transportation and will accelerate electric vehicles encouraging reduction of vehicle miles traveled and reducing the carbon sensitivity of the fuel. The ev code project is one of those in the right direction and I'm here to testify in support of the adoption. So, last month, the department of environmental quality advanced two rules which as you may know that required by 2035, 100% of passenger vehicles sold be zero emission. This will ensure we have affordable options in our state and what's equally important is that we also have public ev charging infrastructure that's accessible and affordable for folks. As an example, if you're someone who owns a single-family home, if you have all those things and charging equipment isn't easy for you, that may just rest on the cost of the registration. However, if you have the cost of that and you live in an

apartment complex that doesn't have a private garage, now the situation is more complicated and is a problem that many renters today face. So having access to charging infrastructure in your apartment complex is a big deal to ensure renters who want to switch to an ev are able to do so confidently knowing they have an location to charge. So this is where updates to zoning codes provide much-needed solutions to lower income folks who are generally not prioritized in the electric vehicle transition even though they are the ones who stand to benefit the most from the lower cost of maintenance operating and fueling ev's. So ensuring that transportation and educational solutions meet the needs of all communities especially low-income and bipoc communities who have been left out of the conversation is how we need to be leading our work and this program is a good example of that. By adopting the city's evready building code, we are building the future environment now. So thank you for your consideration.

Speaker: Mayor Wheeler: thank you.

Speaker: Clerk: next up, we have jackie troeeger.

Speaker: Caller: hi. Can you hear me?

Speaker: Mayor Wheeler: we hear you jackie.

Speaker: Caller: great. I'm jackie traeger with the Oregon environmental council. Oec is a nonpartisan membership based nonprofit organization that, would to advance innovative, collaborative, and equitable solutions to Oregon's environmental challenges for today and future generations. Oec has been engaged in this project for a long time and we're happy to see it come to peru wells fargo. We know that the transportation sector makes up 40% of Oregon's green house gas emissions, the largest percentage. In order to meet Portland's climate pollution reduction goals it's necessary. This will require us to drive less. And we have to do this as quickly as possible. We must do everything in our power to make it easier

for more people to be able to electrify. With the passing of the advanced clean car aegis two rules. These rules will create more equitable access to evcharging infrastructure. We appreciate the work and thoughtful process that staff have put into this project and we look forward to the city's continuing and expanding efforts to support the equitable and rapid decarbonization of transportation. Oec supports the adoption of the zoning code amendments. Thank you so much.

Speaker: Clerk: next up, anthony benchavengo.

Speaker: Mayor Wheeler: welcome.

Speaker: Caller: hi. My name is anthony benchavengo they/them and I'm a volunteer with Portland's tenants alliance. I want to thank you city commissioners for giving us the opportunity to testify today. I also want to thank the city of Portland for making a point of getting tenant input on these code changes which will be of significant benefit to many tenants. I served as a tenant representative on the city's ev ready code project technical advisory group. Right now, it is difficult for many tenants to access electric vehicles for a variety of reasons. One is cost helps significantly by tax breaks. Second, a lack of access. Tenants do not have the freedom to decide on when we will get ev charging stations. Owning an electric vehicle is extremely difficult. Compounded by the fact that ev structure is limited. Ev charging stations are particularly concentrated downtown and in more affluent areas of Portland with areas such as east Portland having fewer ev charging stations. With a higher percentage of low-income tenants and bipoc tenants. If we're going to correct racial and economic disparities, we need more ev infrastructure in multi-family buildings. That's where these code change include ev charging infrastructure with parking structures come in. These will give more tenants more freedom to own an electric vehicle and tenant who is own electric vehicles much more freedom to choose where to live. It will be a free step in

filling racial and economic gaps. Impacts on rents are expected to be minimal with the city's economic analyst predicting less than 1%. We are still concerned about the potential for landlords to raise rents by more than the needed amount for reasons purely of an excuse to make more profit, but this is something to be addressed through stronger rent controls at the local and state level. We hope that you will vote yes on these proposed code amendments and help expand the tenant's ability in the fight against climate change. Thank you.

Speaker: Mayor Wheeler: thank you.

Speaker: Clerk: next up we have joy davis.

Speaker: Caller: can you hear me okay?

Speaker: Mayor Wheeler: yep. We hear you, joy.

Speaker: Caller: great. Thank you so much mayor Wheeler and the commissioners to provide opportunity and support of the planning and zoning code in alignment with the electric vehicle code recommendation. For the record, my name is joy elise davis and my pronouns are she/her. Today I'm sharing my testimony on behalf of imagine black. Imagine black is a black-led and black-serving nonprofit. Simply put, we work with vulnerable black Oregonians to support them and get them more involved in civic engagement through democracy and self-determination. Our members live all across the state and we are dedicated to actively getting involved in local government. Today, I'm honored to support the electric vehicle ready code project and particularly the recommended draft to meet the city's climate and equity goals. At imagine black, we use something called an afro ecology lens developed with the bureau of planning and sustainability which centers on black prosperity and focuses on sustainability. We have assessed this project's recommendations and was able to assess the opportunity and tlits and impacts that not only impact our environmental health but also the health and spirit of the

black community. I'm sure you all know this, but due to generations of institutional anti-black racism, black communities have been displaced in areas of the city where it's not easy to walk, bike, or take public transit to meet those needs. This means that often times a car is needed to get to services and navigate the city as a whole. Displaced the communities and people living in multi-family housing especially black Portlanders living in east Portland need to have access to electric vehicles and charging stations to support those vehicles. We believe that bipoc low-income communities can really benefit from lower cost to maintain and fuel electric vehicles but that ev charging stations are needed for accessible, reliable, convenient and affordable to enable those benefits to be achieved. We are in support of this amending the planning and zoning code and we really urge you to do the same. Thank you so much for your consideration and for the time.

Speaker: Mayor Wheeler: thank you.

Speaker: Clerk: next up, we have elicia lawrence.

Speaker: Mayor Wheeler: welcome.

Speaker: Clerk: you're muted.

Speaker: Caller: there we go. Hello everybody. Can you hear me now?

Speaker: Mayor Wheeler: loud and clear.

Speaker: Caller: all right. Thank you for allowing me to testify. I'm alicia lawrence. So as we know, the clean energy future is fast approaching and momentum is building around that transition to electric cars, trucks, bikes, and fleets. Pg&e is supporting the conversion by building an eco system of connected services for our customers, providing infrastructure, partnerships, and offerings needed to fuel the electric future. While enabling the future to make it easy to use, affordable, and accessible to all. Pg&e have worked on numerous projects over the years. For example, our 1 electric avenue site which was installed in 2015 is the most

frequently visited site in our electric avenue network today. We also work together and with daimler truck of north America to develop island, for medium and heavy duty trucks. We're also working together to support the electric and we also have collaborations to install the city of Portland's right of way. This is going to provide easy access to ev charging in commercial districts and residential neighborhoods. This will increase equitable access to affordable ev charging. We have regarding the development, technical discussions start in 2019 and the city of Portland's bureau of planning and sustainability. We participate in several city of Portland hosts and workshops and provide technical input during the development of the ev ready requirements. We also supported the state legislation that helps facilitate these code changes. For our own purposes, pg&e has helped to create an ev ready affordable housing grant which was approved through the commission late 2022. Pg&e's offering one time grants to help offset the additional design and construction costs resulting from the increased ev-ready code requirements. To help local code compliance for local multi-family. We've partnered with the Portland bureau of sustainability. We have appreciated the partnership that we've been able to have with the city of Portland and we look forward to continued opportunities. Thank you for the time.

Speaker: Mayor Wheeler: thank you. Appreciate your testimony.

Speaker: Clerk: next up, we have bob gravely.

Speaker: Mayor Wheeler: hi, bob. Thanks for being here.

Speaker: Thank you, commissioners for the opportunity to be here today. My name is bob gravely. I'm the regional manager for pacific power here in Portland and I'm also a registered lobbyist. Pacific power is the electric utility that serves about 80,000 customers in north, northeast portions of downtown. And I'm here today just to talk about some of the funding opportunities we have in programs

that, you know, we think the city and developers can help take advantage of to support implementation of this code. First of all, kind of after discussions with staff and also with approval from the stake holder advisory group that oversees our Oregon clean fuels program funding, we've identified \$250,000 that we are going to make available to help with some of the initial projects in the queue to comply with this code should you adopt it. So it's our hope that at least in the projects in the pacific power service area that this will help some of the initial ones out of the gate get going. And then more generally, we already kind of have some existing programs that the city and other building developers are taking advantage of that we also think would help with the cost of this. One of them is a generous line of extension normally someone comes and set up an allowance and for ev charging, that has doubled. In many cases, the allowance totally offsets the cost of those upgrades so it doesn't end up costing anything. We also think this would help with this program and we offer free technical assistance when customers are exploring ev charging. So some of these programs, we're currently working with pbot and other city bureaus on some of the fleet electrification projects going on in the city. We think that that line allowance that we currently provide for utility upgrades can be also applied to upgrades on the customer side of the meter and we're also talking about ewe tilt-owned and places where they're underserved and private providers have not gone. So i'll stop there and thank you very much.

Speaker: Mayor Wheeler: thanks, bob. Appreciate you being here.

Speaker: Clerk: next up, we have nolani derekson.

Speaker: Caller: good afternoon mayor Wheeler, commissioners and staff. I'm from tesla speaking in strong support of agenda item 87 regarding the proposed ev-ready code project. This code would increase the requirements for ev-readiness in new multi-family buildings which are the most challenging and expense ito retro

fit in existing buildings. Additionally, we really appreciate the collaboration in addition to all of the other sustainability initiatives. Thank you.

Speaker: Mayor Wheeler: thank you.

Speaker: Clerk: next up, we have david yasnoth.

Speaker: Caller: can you hear me and see me okay?

Speaker: Mayor Wheeler: loud and clear and we see it you.

Speaker: Caller: good. I'll try to make this brief. Thank you for listening to my comments. I'm an electric car owner and have been an advocate for electric cars and when I speak with folk who is are renters, the first time this was sort of an accident, I said, talking to a friend, why don't you buy an electric car and he said what am am I going to do throw an extension cord out the window because he has an apartment. So it highlights the ridiculous position that some people are in who want to purchase electric cars but can't because they don't have access to the infrastructure where they live. Secondly, I didn't see a forum to bring this up other than here, so I wanted to bring up an issue that I think where the City Council's not going far enough which is the regulation of noise about cars. I wanted to spend 20 seconds on this. I'm concerned about an emerging trend where car makers are verging to make electric vehicles intentionally loud. Ferrari and dodge are actively taking part in this. I'd encourage the council to consider taking a lead nationally and setting limits on automobile noise and enforcing that using automated noise monitoring. Something I and i'll e-mail that to your office.

Speaker: Mayor Wheeler: thanks, we'll look forward to getting. That. Could you send it directly to bobby lee, send it to the office, but in the line, have it say "bobby lee". He's my chief of staff and i'll look forward to receiving that.

Speaker: Clerk: next up, tim lamaster.

Speaker: Mayor Wheeler: welcome, tim.

Speaker: Good afternoon. Every one of you's campaigned and spoken to the need for more affordable housing. You will be personally responsible for increasing the cost of housing in the city. It is well-known one of the main issues affecting affordable housing in Portland is cost of building thanks to the bureaucratic requirements. You're literally mandating to expand some of the very things that are significant causes of our housing issues. The power company who spoke here even manufacturers, tesla spoke, and others have an inherent self-interest to get these capabilities into peoples' homes. Putting this mandate in strips away at the ability to developers to include government subsidized housing to negotiate possibilities to defray these costs. The draft ordinance co-ops low and moderate black indigenous people and unable to supposedly benefit. Ev technology is still in its infancy with prices for vehicles capable. The short vehicles are cheap, but if you want to drive off to san francisco, that's a whole other story for a vehicle that can reasonably do that. These vehicles are still in the range of \$50,000. Early adopters are now learning the pain of long-term cost ownershipship being trapped in eco systems. And you can't go to your neighborhood mechanic to get that done. This doesn't necessarily include the cost for dealer legislations or -- installations or dealer work. Minority communities have been at the core of the city's character. To rush to mandate these infrastructure changes on the most affordable housing that can be built will increase cost for the generational minority families in Portland through not only the initial cost of building, but will increase rental and resell rates as this amenity will greatly appeal to those who can actually afford the rent the electric vehicles. These people speak to it who can afford to buy the vehicles. It's not your low-income and lower threshold people. They're not the ones doing it. You're going to make the demand for housing that has that intended for them much more competitive meaning more expensive. Passing this ordinance will be

one more rain drop in the flood of government's sponsored actions expediting the judgment of Portland.

Speaker: Mayor Wheeler: rene has a question or comment. I.

Speaker: Commissioner: I didn't catch your full name.

Speaker: Tim la master.

Speaker: Commissioner: you felt this would under mind developer's incentives?

Speaker: Yes. One of the things that comes into play, if the government tells a developer, have you to have 200 charging ports, just throwing numbers out there, I know that's a high number. Now you've kind of fixed a point they're beholden to and the person they're negotiating with, they know they're on the hook for doing that. And developers know dam well people want, that this is a new market emerging and they need to provide this as a service and it helps put a bargaining chip in their favor to negotiate the people who will actually get the long-term profit out of this.

Speaker: Commissioner: got it. Thank you, tim.

Speaker: Mayor Wheeler: thanks, tim.

Speaker: Clerk: and that completes testimony.

Speaker: Mayor Wheeler: very good. Colleagues, any further thoughts or discussion or response from our able staff members before we move this to second? Anymore questions? Commissioner Ryan, you look like you've got one.

Speaker: Commissioner Ryan: for those at home that are at my level, elementary education here. So I think I've got this right. So it's all about ev-ready, right, but it's not about the actual apparatus.

Speaker: Right. Of that's correct.

Speaker: Yeah. We're building -- we're planning for a future of buildings that are going to be here for the next 50 to 100 years.

Speaker: Commissioner Ryan: it's a part of the journey.

Speaker: Conduits.

Speaker: Commissioner Ryan: then I think I want to understand how it's installed. So you're in an apartment and you have both the ev-ready and it's installed, you get to plug in because you live there and I assume the only way the cost would be given to you would be maybe the rent might be higher, but it wouldn't be -- here's where my brain is. Is it like each hour that person would be billed or are we getting into that detail yet?

Speaker: Because this is just laying the conduit and not actually the chargers, a lot of this is going to be dictated by the property owners and when they put in the chargers and the arrangements that they make for the use of the chargers. So it's very hard to say how it will translate into, you know, how the tenants will be billed if you will.

Speaker: Commissioner Ryan: because eventually, someone needs to pay for charging.

Speaker: Yep. Typically, it's by kilowatt hour that people pay for charging, but it's really up to the property owner to decipher how those costs are split amongst tenants.

Speaker: Commissioner Ryan: okay.

Speaker: For charging.

Speaker: Commissioner Ryan: and the ones that are in the right of way, that is both the getting the infrastructure set up ev-ready and we want to start moving towards having the apparatus there to charge. What's the cost for that? Who's paying for that? Did we just get offers from the --

Speaker: I cannot speak. I need to have pbot talk to that because they're negotiating contracts.

Speaker: Commissioner Ryan: it's a whole new world. We've got to figure out what that would look like.

Speaker: Yeah.

Speaker: That is the work that pbot is working on now and they're working on a permitting process and an ordinance that will be coming to council later this year. They'll be better equip today answer that question.

Speaker: Commissioner Ryan: that's what I want to do. Trying to connect the dots between those conversations and what we heard today. All right. I hope that was helpful to some.

Speaker: Mayor Wheeler: commissioner Mapps.

Speaker: Commissioner Mapps: sure. Number one, I want to thank commissioner Ryan for that question. Pbot will be coming to council maybe as soon as next week depending on what the agenda looks like to talk about our ev-ready strategies for the public right of way. And will certainly be coming to council several times over the course of the year. So stay tuned on that. Today, I wanted to ask staff to clarify the relationship between the ordinance that we are looking at today and actions taken at the state legislature. So how does this relate to I think probably house bill 2180? I know you covered it in your testimony. It might be helpful to revisit that today.

Speaker: Sure. I can start us off and, ingrid, if you have something to add. The house bill essentially this makes us be in compliance with the state law. So the house bill is statewide a minimum of 40% of spaces in multi-dwelling and mixed use buildings with five or more units have to provide ev ready spaces at 40% of the spaces and this makes sense in compliance with that and as we noted this regulation proposes to exceed that by modest amounts.

Speaker: Commissioner Mapps: okay. So we don't have the option to not move in this direction and still be in compliance with state law, is that correct?

Speaker: That is correct.

Speaker: Commissioner Mapps: okay. Thank you.

Speaker: Mayor Wheeler: commissioner Gonzalez, did you have a question?

Speaker: Commissioner: just one last question looking at our ev strategy for comprehensively, what are our assumptions in terms of the percentage of Portland energy that's clean versus coal versus natural gas at this point in time in 2023? I realize we have state mandates where we're supposed to be by 2040, but we're talking over the next one to five years, what are our assumptions on the mix?

Speaker: We have that information, I don't have it with me. Someone else on my climate team would need to. There's still coal in our electricity stream. Bob from pacific power might be able to answer that more.

Speaker: Long term, there are intermediate goals for reducing carbon emissions, but the long-term goal is to be net 0 by 2050 and there's intermediate goals to get us there.

Speaker: Commissioner: and I would just encourage. The move for electrification, this is the way for the city to go, but I think when we're talking about the trade-offs over a medium term, we still have a lot of dirtiness in our grid and that's for the foreseeable future. So just in terms of the relative trade-offs of a lot of these discussions, I would encourage us to keep that in focus not withstanding hope fly by 2040.

Speaker: The state's mandate is 2040. I believe the local utilities have committed to 2035. 2030?

Speaker: Yeah. By 2030.

Speaker: Mayor Wheeler: why don't you come up so people watching can hear what you have to say.

Speaker: Yeah. Bob from Pacific Power. Yeah. I think it's a fair point, commissioner. If you just take this exact moment in time, there is still a fair amount of coal and natural gas and everything in the grid mix, but that's rapidly changing, you know. Speaking for Pacific Power, most of our remaining coal plants will be gone by 2030 and we're going to come out with a resource plan in March that kind of goes over the next 20 years and every time we do that, those plans accelerate. So, you know, I think you're correct that if you just take a snapshot in time now, it doesn't look so great, but the trend is very quickly moving toward renewable resources and we don't see it.

Speaker: Although, there is research that shows that electric vehicles are more efficient than gas vehicles with today's mix of sources for electricity. So they're more efficient today. It's becoming more efficient over time especially with the commitments and we know that transitioning the sources of our electricity to 100% renewable, it needs to be done in order to meet those. EV's is one piece and then the foundational piece underneath that is 100% renewable electricity that's sourcing electricity for those vehicles.

Speaker: And we'll have this discussion multiple times over the next two years. We all see the long-term, we see where we're going. It's certainly in the short and medium term that the move toward electrification you may be driving the utilization of energy you don't perceive and that's coal and gas for the foreseeable future.

Speaker: 2030.

Speaker: Also, for the record I want to add very quickly that we're talking just about the transportation sector and the emissions from, you know, the climate

emergency declaration is looking at ways to decarbonize all the different sectors that produce carbon emissions today. So industry, buildings, waste, and transportation. So this as if it were a pie. This is one piece of that pie.

Speaker: And transportation's about 42% of those in the county.

Speaker: Efforts are happening and all of the different sectors, you know, to look at decarbonizing.

Speaker: Commissioner: got it. Appreciate it. Thank you.

Speaker: Mayor Wheeler: great. Thank you all. Appreciate it. If there's nothing else, this is a first reading of the nonemergency ordinance. It moves to second reading.

Speaker: Mayor, we have to close the record for oral testimony and written testimony as well. I believe that was the plan.

Speaker: Mayor Wheeler: this is a nonemergency ordinance.

Speaker: It's a land use item so we're going to close the written record for oral and written testimony and council will come back and adopt on the final package.

Speaker: Mayor Wheeler: very well. So we will close the written and oral testimony record and when we come back for our second reading, we will adopt the final package. Do we need a tentative vote today then?

Speaker: No. But we need a date and time certain for the second reading.

Speaker: Mayor Wheeler: and that is when.

Speaker: Clerk: we do have it scheduled for February 8th at 10:05 a.m.

Speaker: Mayor Wheeler: February 8th at 10:05 a.m. Be there.

Speaker: We'll be there. Thank you, mayor.

Speaker: Mayor Wheeler: good presentation and good testimony everybody. Good thoughts. We are adjourned.