



October 9-10, 2024 Council Agenda

5786

1900 SW Fourth Avenue, Room 2500, Portland, OR 97201

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Questions may be directed to councilclerk@portlandoregon.gov

Wednesday, October 9, 2024 9:30 am

Session Status: Recessed

Council in Attendance: Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Commissioner Rene Gonzalez

Commissioner Mingus Mapps

Council convened at 9:40 a.m.

Mayor Wheeler presided.

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

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

Commissioner Ryan left at 10:27 a.m. and returned at 10:29 a.m.

Commissioner Rubio left at 11:14 a.m.

Council recessed at 11:40 a.m. and reconvened at 11:50 a.m.

Council recessed at 12:42 p.m.

Communications

838

[Request of Diane Meisenhelter to address Council regarding delays on Build Shift](#) (Communication)

Document number: 838-2024

Council action: Placed on File

839

[Request of Joanne Rees to address Council regarding Temporary Alternative Shelter Site in Lents neighborhood](#) (Communication)

Document number: 839-2024

Council action: Placed on File

840

[Request of Sue Vetrano to address Council regarding stormwater rate increase](#) (Communication)

Document number: 840-2024

Council action: Placed on File

841

[Request of Nehemiah Vaughan to address Council regarding camps on the sidewalk, accessibility, and traffic visibility](#) (Communication)

Document number: 841-2024

Council action: Placed on File

842

[Request of Abigail Ivey to address Council regarding noise pollution from commercial sound system in SE Portland](#) (Communication)

Document number: 842-2024

Council action: Placed on File

Time Certain

843

[Accept 2023 Annual Cannabis Policy Report by the Cannabis Policy Oversight Team](#) (Report)

Document number: 843-2024

Introduced by: Mayor Ted Wheeler

City department: Permitting & Development

Time certain: 9:45 am

Time requested: 10 minutes

Council action: Accepted

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

Aye (5): Mingus Mapps, Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

844

[Proclaim October 15, 2024 to be White Cane Awareness Day](#) (Proclamation)

Document number: 844-2024

Introduced by: Mayor Ted Wheeler; Commissioner Carmen Rubio

Time certain: 9:55 am

Time requested: 15 minutes

Council action: Placed on File

Consent Agenda

845

[Amend contract with Polydyne, Inc. to add funds and extend term of price agreement for bulk supply of sludge processing polymer \(amend Contract 31000397\)](#) (Ordinance)

Ordinance number: 191901

Introduced by: Mayor Ted Wheeler

City department: Environmental Services

Second reading agenda item 819.

Council action: Passed

Aye (4): Mingus Mapps, Carmen Rubio, Rene Gonzalez, Ted Wheeler

Absent (1): Dan Ryan

846

[Amend Intergovernmental Agreement with Portland State University to provide survey and research related services through the Regional Research Institute \(amend Contract 30008560\)](#) (Ordinance)

Ordinance number: 191902

Introduced by: Mayor Ted Wheeler

City department: Parks & Recreation

Second reading agenda item 821.

Council action: Passed

Aye (4): Mingus Mapps, Carmen Rubio, Rene Gonzalez, Ted Wheeler

Absent (1): Dan Ryan

847

[Reappoint Derek Trost to the Noise Review Board for term to end September 1, 2027](#) (Report)

Document number: 847-2024

Introduced by: Mayor Ted Wheeler

City department: Permitting & Development

Council action: Confirmed

Aye (4): Mingus Mapps, Carmen Rubio, Rene Gonzalez, Ted Wheeler

Absent (1): Dan Ryan

848

[Amend Electric Fences Code to comply with House Bill 4027 and Oregon Revised Statute 195.870 related to certain nonresidential alarm systems and battery-charged fences and add requirements for the installation of battery-operated electric fences \(amend Code Section 26.03.110\)](#) (Ordinance)

Ordinance number: 191912

Introduced by: Mayor Ted Wheeler

City department: Permitting & Development

Council action: Passed to second reading

Passed to second reading October 16, 2024 at 9:30 a.m.

849

[*Pay property damage claim of Sok Yun for \\$11,076 resulting from a motor vehicle collision involving the Portland Police Bureau](#) (Emergency Ordinance)

Ordinance number: 191903

Introduced by: Mayor Ted Wheeler

City department: Risk Management

Council action: Passed

Aye (4): Mingus Mapps, Carmen Rubio, Rene Gonzalez, Ted Wheeler

Absent (1): Dan Ryan

850

[*Pay settlement of Alexa Comick bodily injury and property damage claim for \\$26,145 resulting from a motor vehicle collision involving the Portland Police Bureau](#) (Emergency Ordinance)

Ordinance number: 191904

Introduced by: Mayor Ted Wheeler

City department: Risk Management

Council action: Passed

Aye (4): Mingus Mapps, Carmen Rubio, Rene Gonzalez, Ted Wheeler

Absent (1): Dan Ryan

851

[*Pay settlement of Julio Ferrer Faria property damage claim for \\$8,808 resulting from a motor vehicle collision involving the Portland Police Bureau](#) (Emergency Ordinance)

Ordinance number: 191905

Introduced by: Mayor Ted Wheeler

City department: Risk Management

Council action: Passed

Aye (4): Mingus Mapps, Carmen Rubio, Rene Gonzalez, Ted Wheeler

Absent (1): Dan Ryan

852

[*Pay settlement of Daniel Huizar property damage claim for \\$6,400 involving Portland Parks & Recreation](#) (Emergency Ordinance)

Ordinance number: 191906

Introduced by: Mayor Ted Wheeler

City department: Risk Management

Council action: Passed

Aye (4): Mingus Mapps, Carmen Rubio, Rene Gonzalez, Ted Wheeler

Absent (1): Dan Ryan

Regular Agenda

853

[Authorize interim financing of up to \\$14,450,000 for the NW Johnson-Kearney Streets Local Improvement District project](#) (Ordinance)

Ordinance number: 191908

Introduced by: Mayor Ted Wheeler

City department: Debt Management and Investor Relations

Second reading agenda item 834.

Council action: Passed

Aye (4): Mingus Mapps, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Carmen Rubio

854

[Authorize revenue bonds to finance sewer system capital improvements for an estimated principal amount not to exceed \\$334 million and to refund outstanding bonds](#) (Ordinance)

Ordinance number: 191909

Introduced by: Mayor Ted Wheeler

City department: Debt Management and Investor Relations; Environmental Services

Second reading agenda item 835.

Council action: Passed

Aye (4): Mingus Mapps, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Carmen Rubio

855

[Initiate foreclosure action at 8040 SE Knight St for the collection of delinquent City Liens placed against the property](#) (Ordinance)

Ordinance number: 191914

Neighborhood: [Mt. Scott-Arleta](#)

Introduced by: Mayor Ted Wheeler

City department: Revenue Division

Time requested: 30 minutes (1 of 9)

Council action: Passed to second reading

Passed to second reading October 16, 2024 at 9:30 a.m.

856

[Initiate foreclosure action at 3623 S Corbett Ave for the collection of delinquent City Liens placed against the property](#) (Ordinance)

Ordinance number: 191915

Neighborhood: [South Portland](#)

Introduced by: Mayor Ted Wheeler

City department: Revenue Division

Time requested: 30 minutes (2 of 9)

Council action: Passed to second reading

Passed to second reading October 16, 2024 at 9:30 a.m.

857

[Initiate foreclosure action at 11257 NE Sandy Blvd for the collection of delinquent City Liens placed against the property](#) (Ordinance)

Neighborhood: [Parkrose](#)

Introduced by: Mayor Ted Wheeler

City department: Revenue Division

Time requested: 30 minutes (3 of 9)

Council action: Passed to second reading

Passed to second reading October 16, 2024 at 9:30 a.m.

858

[Initiate foreclosure action at 1042-1048 SE 151st Ave for the collection of delinquent City Liens placed against the property](#) (Ordinance)

Ordinance number: 191916

Neighborhood: [Centennial](#)

Introduced by: Mayor Ted Wheeler

City department: Revenue Division

Time requested: 30 minutes (4 of 9)

Council action: Passed to second reading

Passed to second reading October 16, 2024 at 9:30 a.m.

859

[Initiate foreclosure action at 2336 SE 130th Ave for the collection of delinquent City Liens placed against the property](#) (Ordinance)

Ordinance number: 191917

Neighborhood: [Hazelwood](#)

Introduced by: Mayor Ted Wheeler

City department: Revenue Division

Time requested: 30 minutes (5 of 9)

Council action: Passed to second reading

Passed to second reading October 16, 2024 at 9:30 a.m.

860

[Initiate foreclosure action at 6329 SE 86th Ave for the collection of delinquent City Liens placed against the property](#) (Ordinance)

Ordinance number: 191918

Neighborhood: [Lents](#)

Introduced by: Mayor Ted Wheeler

City department: Revenue Division

Time requested: 30 minutes (6 of 9)

Council action: Passed to second reading

Passed to second reading October 16, 2024 at 9:30 a.m.

861

[Initiate foreclosure action at 1541 SW Market St for the collection of delinquent City Liens placed against the property](#) (Ordinance)

Ordinance number: 191919

Neighborhood: [Goose Hollow](#)

Introduced by: Mayor Ted Wheeler

City department: Revenue Division

Time requested: 30 minutes (7 of 9)

Council action: Passed to second reading

Passed to second reading October 16, 2024 at 9:30 a.m.

862

[Initiate foreclosure action at 6627 SE Woodstock Blvd for the collection of delinquent City Liens placed against the property](#) (Ordinance)

Ordinance number: 191920

Neighborhood: [Woodstock](#)

Introduced by: Mayor Ted Wheeler

City department: Revenue Division

Time requested: 30 minutes (8 of 9)

Council action: Passed to second reading

Passed to second reading October 16, 2024 at 9:30 a.m.

863

[Initiate foreclosure action at 3003 SE 58th Ave for the collection of delinquent City Liens placed against the property](#) (Ordinance)

Neighborhood: [South Tabor](#)

Introduced by: Mayor Ted Wheeler

City department: Revenue Division

Time requested: 30 minutes (9 of 9)

Council action: Referred to Commissioner of Finance and Administration

864

[*Pay settlement of Kristina and Jason Norris bodily injury lawsuit for \\$500,000 involving the Portland Police Bureau](#) (Emergency Ordinance)

Ordinance number: 191907

Introduced by: Mayor Ted Wheeler

City department: Risk Management

Time requested: 10 minutes

Council action: Passed

Aye (5): Mingus Mapps, Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

865

[Amend Contract with Stantec Consulting Services, Inc. to extend on-site design and construction support services for the Bull Run Filtration Project \(amend Contract 30007028\)](#) (Report)

Document number: 865-2024

Introduced by: Mayor Ted Wheeler

City department: Water

Time requested: 10 minutes

Council action: Accepted

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

Aye (4): Mingus Mapps, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Carmen Rubio

Wednesday, October 9, 2024 2:00 pm

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: Mike Porter, Deputy City Attorney; Keelan McClymont, Council Clerk

Council recessed at 3:27 p.m.

Time Certain

866

[*Adopt the FY 2024-25 Fall Supplemental Budget and make other budget-related changes](#) (Emergency Ordinance)

Ordinance number: 191910

Introduced by: Mayor Ted Wheeler

City department: City Budget Office

Time certain: 2:00 pm

Time requested: 1 hour

Council action: Passed

Motion to reappropriate Commissioner Offices' and the Mayor's Office prior year General Fund underspending to the future City Council and future Mayor: Moved by Ryan and seconded by Gonzalez. (Aye-Ryan, Gonzalez; Nay-Mapps, Rubio, Wheeler). Motion failed to pass.

Motion to adopt the Fall Supplemental Budget: Moved by Gonzalez and seconded by Mapps.

Aye (5): Mingus Mapps, Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

Thursday, October 10, 2024 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: Adrienne DelCotto, Senior Deputy City Attorney; Rebecca Doherty, Acting Council Clerk

Council adjourned at 3:50 p.m.

Time Certain

867

[Accept the Future of Keller Collaboration Team recommendation to pursue a strategy to develop two Broadway-capable venues, avoiding a prolonged closure of the Keller Auditorium, while greenlighting the path ahead for a Market Feasibility Analysis and subsequent financing strategy](#) (Resolution)

Resolution number: 37680

Introduced by: Mayor Ted Wheeler

City department: Spectator Venues and Visitor Activities Program

Time certain: 2:00 pm

Time requested: 2 hours

Council action: Adopted

Aye (5): Mingus Mapps, Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

Portland City Council Meeting Speaker List
 Wednesday, October 9, 2024 - 9:30 a.m.

Name	Title	Agenda Item
Ted Wheeler	Mayor	
Dr. Jennifer Joyalle	YSEALI Program Coordinator and Action Plan Coach	Pre-gavel
Win Htut Khaung Soe	YSEALI Fellow, Myanmar	Pre-gavel
Mingus Mapps	Commissioner	
Dan Ryan	Commissioner	
Keelan McClymont	Council Clerk	
Carmen Rubio	Commissioner	
Rene Gonzalez	Commissioner	
Naomi Sheffield	Senior Deputy City Attorney	
Diane Meisenhelter	(Communications)	838
Joanne Rees	(Communications)	839
Sue Vetrano	(Communications)	840
Abigail Ivey	(Communications)	842
Beth Benton	Property Compliance Division Manager	842
Nehemiah Vaughan	(Communications)	841
Jackson Pahl	Policy Advisor, Office of Commissioner Mapps	841
Mike Jordan	City Administrator	841
Donnie Oliveira	Deputy City Administrator, Community and Economic Development	843
Christina Coursey	Cannabis & Liquor Program, Coordinator IV, Cannabis Policy Oversight Team, Liaison	843
Phillip Keim	Cannabis & Liquor Program, Coordinator II, Cannabis Policy Oversight Team Liaison	843
Jake Granger	(Testimony)	843
Sara Morrissey	Deputy City Administrator, City Operations	843
Jonas Biery	Deputy City Administrator, Budget and Finance	864, 855-862
Mike Porter	Senior Deputy City Attorney	864
Bob Day	Chief, Bureau of Police	864
Derrick Foxworth	Lieutenant, Portland Police Bureau	864
Dan Handelman Portland Copwatch	(Testimony)	864
Lisa Strader	ADA Coordinator, Ramps by Request Program Manager, PBOT	844
Mary Lee Turner	Co-chair of the Pedestrian Safety Action Coalition	844
Darian Slayton-Fleming	Co-chair of the Pedestrian Safety Action Coalition	844
Kevin Foster	Foreclosure Prevention Manager (Coordinator III)	855-863
Michael Harris	(Testimony)	857
Sharon Nickelberry Rogers	Financial Analyst III	855-863
Mike Liefeld	Supervisor, Property Compliance Division	855-863
Dan Simon	City Attorney	855-863
Brigid O'Callaghan	City Treasurer	855-863
Brian McDonald	(Testimony)	860
Gregory Schults	(Testimony)	860
Priya Dhanapal	Deputy City Administrator, Public Works	865
Jodie Inman	Chief Engineer	865

Portland City Council Meeting Speaker List
Wednesday, October 9, 2024 - 2:00 p.m.

Name	Title	Agenda Item
Ted Wheeler	Mayor	
Keelan McClymont	Council Clerk	
Mingus Mapps	Commissioner	
Carmen Rubio	Commissioner	
Dan Ryan	Commissioner	
Rene Gonzalez	Commissioner	
Mike Porter	Deputy City Attorney	
Jonas Biery	Deputy City Administrator, Budget and Finance	866
Ruth Levine	Director, City Budget Office	866
Mike Jordan	City Administrator	866
Will Terry	Financial Analyst, Transportation	866
Terry Harris	(Testimony)	866
Bill Kinsey	(Testimony)	866
Juliet Hyams	(Testimony)	866

Portland City Council Meeting Speaker List
 Thursday October 10, 2024 - 2:00 p.m.

Name	Title	Agenda Item
Ted Wheeler	Mayor	
Rebecca Dobert	Acting Council Clerk	
Dan Ryan	Commissioner	
Rene Gonzalez	Commissioner	
Mingus Mapps	Commissioner	
Carmen Rubio	Commissioner	
Adrienne DelCotto	Senior Deputy City Attorney	
Donnie Oliveira	Deputy City Administrator, Community and Economic Development	867
Chariti Montez	Director, Office of Arts & Culture	867
Sarah Schwarz	President, PSU Foundation	867
Bob Naito	Co-Chair, Halprin Landscape Conservancy	867
Marian DeBardelaben	(Testimony)	867
Emily Horton	(Testimony)	867
Margo Howell	(Testimony)	867
Rich Jaffe	(Testimony)	867
Sue Dixon	(Testimony)	867
Emily Ford	(Testimony)	867
Dave Sweeney	(Testimony)	867
Dean Barnett	(Testimony)	867
Diana Stuart	(Testimony)	867
Rose Etta Venetucci	(Testimony)	867
Eric Noll	Director of Regional Government Relations and Policy, Portland State University	867
Mike Jordan	City Administrator	867

Portland City Council Meeting Closed Caption File

October 9, 2024 – 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: There are 25 young fellows from southeast asian countries studying civic engagement at Portland state university's center for public service. The center for public service resides of course, within the hatfield school of government, and this is their third year hosting young fellows from the asean region. This program was launched in 2013 by president barack obama as the us state department's signature educational and cultural exchange program, aimed at building the leadership capabilities of young professionals in the region. As well as strengthening ties between the united states and southeast asia. These brilliant young leaders come from brunei, cambodia, indonesia, malaysia, myanmar, the philippines, laos, singapore, thailand, timor-leste and vietnam, and they're making a difference in their communities, countries, and indeed throughout the entire region here. They're here today to deliver short remarks. The 25 fellows are accompanied by doctor jennifer joel. Did I get your name? You did. Excellent. Thank you. Good. Their action plan coach and one of the youngest fellows went from myanmar, who will also make a brief set of remarks. Welcome to you all, and I hope your stay here in Portland is meaningful as well as very productive. Thank you for being here this morning.

Speaker: Good morning.

Speaker: You can cheer. That's fine.

Speaker: Well good morning. Morning, mayor Wheeler, thank you for the introduction. Mayor Wheeler and members of the City Council. My name is Jennifer Joel. I am adjunct faculty and the action plan coach for the UCLA program team at the Center for Public Service in the Hatfield School of Government at Portland State University. I would like to acknowledge Doctor Masami Nishida, director of the Hatfield School of Government and UCLA program director Yoshi Isacco, our program director. Also, Alison MacDonald, program officer from the US State Department. Joining us here today from Washington, D.C. Thank you for the opportunity to introduce the fellows from the Young Southeast Asian Leaders Initiative, or UCLA program. As the mayor mentioned this year, Portland State University is hosting 25 fellows from the Association of Southeast Asian Nations, known as ASEAN countries. They are selected by the US State Department after a very competitive selection process. The UCLA fellows are participating in a five-week intensive leadership program, and during this five-week stay in the United States, the fellows are learning about civic engagement and community-centered leadership, which Portland is very well known for. They arrived on September 28th and they have been in Portland for about ten days. And during these ten days, they explored the city taking public transportation, met with some PSU students, faculty and staff, attended some lectures and presented presentations by PSU faculty and community members. And last Saturday they went to the pumpkin patch and had fun experiencing fall season in Portland. This is PSU's third year hosting the UCLA fellows, and during these three years we have hosted a total of 65 fellows. We will be the host for the UCLA program for the next three years, offering the opportunity for young leaders across ASEAN to learn alongside the people of this city. We deeply appreciate the ongoing support that the city of Portland has been offering for this program, and the Center for Public Service at the Hatfield School of Government. Thank you for

welcoming us. Now, I'd like to introduce one of our youngest fellows, nguyen tut khan. So who will say a few words on behalf of the group.

Speaker: Great welcome.

Speaker: Thank you. Thanks for inviting me. Yeah. Good morning, honorable mayor Wheeler and all the members of the Portland City Council. My name is nguyen. I'm from myanmar, formerly known as palmer, and I'm here in the united states for southeast asian leaders initiative wisely, civic engagement fellowship program. Thank you very much for having me here. And giving me an opportunity to engage in this session. Important meeting, and it is my complete honor to meet you and share who I am, why I'm here, and how the wisely program can help transform lives in developing countries. Our countries have a big room to develop. As I'm into education and I love working with children since I was 14. I pay special attention to children in vulnerable communities like the homeless in the city. So many children in our countries do not receive basic education and protection from guardians, and are forced to walk either on roads or at shops. So I'm now working on an initiative that helps children on the road receive vocational education, from which they can make a living and increase awareness for self protection. Why? Silly is a very popular, very competitive program in our region and many of the leaders during community services are wisely alumni. The president of my previous volunteer organization was also an alumnus, so I got a lot of inspiration from a small walk and that motivated me to apply for this program and meeting with different people from different southeast asian nations, as well as those in the united states, is absolutely incredible. And an eye opening experience as I'm and through the academy discussions, lectures and action plan at Portland state university, I have already gained better ideas to carry out more effective initiatives that are meaningful and impactful for my communities this state. Three more

weeks left to explore in the united states, and I'm very enthusiastic to learn to learn more, to grow. And, you know, personally and professionally. And I believe that I will be able to take everything I've learned here back to my home region, share with locals, and together make more effective changes for the common good. Thank you very much for your time and attention and on behalf of the whole academic cohort, I would like to express my gratitude for the opportunity to visit here and to learn from the people of Portland. Thank you very much.

Speaker: Thank you very much. Does that complete your presentation? It does. Yeah. Don't leave just yet. Sorry. I think some of my colleagues might have a couple of comments. Commissioner Mapps. Sure.

Speaker: I just wanted to take a moment to thank all the fellows for joining us today on behalf of the City Council. It's truly an honor to host you here in our city. We all want to extend a warm welcome to you. I also want you to know how much this council and all the policy makers in this room admire you. You know, the program that you're participating in. We all know, was started by president obama and is supported by the state department. Your participation in the program is a testament to the power of youth leadership and cross-cultural collaboration. I know from participating in this program and events like this in the past that you all come from diverse backgrounds and represent nations that are rich in history, culture, and potential. And I also want to thank you for your commitment to civic engagement and positive change in your own communities. Those are commitments that all of us on this side of the dais share. It's truly a privilege for us to host you on your journey and during your time here in Portland. I hope that Portland serves as a source of inspiration for you as you explore new ideas and exchange knowledge. So thank you so much for being here. I do hope that you enjoy your time in Portland and please come back.

Speaker: Thank you very much, commissioner Ryan.

Speaker: Just a couple of things. First, I did acknowledge, I want to acknowledge when you said you went to a pumpkin patch that I can look out there and see we have really different constituencies. We often do at our council meetings. And everyone smiles. So I guess pumpkin patches is what brings us together, right? I wanted to also acknowledge tomorrow your meeting with andrea, with the Multnomah youth commission. So I really wish you well in that meeting. I think that will be a great connection with all of you. And because I can tell a lot of your mates are here with you, your colleagues, could you all stand up so we could just see see you the ones that are here from the program. Yay! Thanks. Someone's getting your picture. And then also, you have exquisite timing coming in the middle of what we sometimes call the silly season as we're close to the election. So buckle up. Thanks.

Speaker: Thank you all for being here. We appreciate it. All right.

Speaker: I think we're done.

Speaker: This is the Wednesday, October 9th, 2024. Morning session of the Portland City Council. Keelan. Good morning. Please call the roll.

Speaker: Good morning. Maps here. Yea. Rubio. Here. Ryan. Here. Gonzalez here. Wheeler here.

Speaker: Now, we'll hear from legal counsel on the rules of order and decorum. Good morning.

Speaker: Good morning. Welcome to the Portland City Council. To testify before council in person or virtually. You must sign up in advance on the City Council agenda at [Portland.gov/council/agenda](https://portland.gov/council/agenda). Information on engaging with council can be found on the council clerk's web page. Individuals may testify for three minutes unless the presiding officer states otherwise. Your microphone will be muted when your time is over. The presiding officer preserves order. Disruptive conduct, such as

shouting. Refusing to conclude your testimony when your time is up or interrupting others testimony or council deliberations will not be allowed. If you cause a disruption, a warning will be given. Further disruption will result in ejection from the meeting. Anyone who fails to leave once ejected is subject to arrest for trespass. Additionally, council may take a short recess and reconvene virtually. Your testimony should address the matter being considered. When testifying, please state your name for the record. Your address is not necessary. If you are a lobbyist, identify the organization you represent. Virtual testifiers should unmute themselves when the council clerk calls your name.

Speaker: Thank you. Thank you very much. First up is communications. First individual please Keelan.

Speaker: Item 838 request of Diane Meisenhelder to address counsel regarding delays on bill shift. Welcome.

Speaker: Thank you. Thank you for being here.

Speaker: I'm Diane Meisenhelder testifying on behalf of Extinction Rebellion, a global and local climate justice movement. We're in the midst of a climate emergency needing to cut emissions in half by 2030 or experience ever growing unthinkable consequences. Greenhouse gas emissions from the building sector are close to 40% of overall emissions, equivalent to the transportation sector. This summer, many testified about Merton, which was supposed to be phase one of the city's building decarbonization campaign. Over 70% of those who testified favored moving forward with plans for gathering baseline data on energy use for large residential buildings and for tenant notifications on indoor air quality, cooling options and energy costs for renters in multifamily dwellings. Despite this overwhelming public support, the city appears to have listened to the few voices of northwest natural large landlords and multifamily housing owners associations and

decided not to start phase one, but rather try a small non-detailed pilot program utilizing pcef funds. Many low income and bipoc folks were involved in organizing and generating comments on the build shift proposal. The city's merton proposal was a very weak first step, limited to baseline data collection only on buildings of 20 to 50,000ft², and for tenant education. Numerous cities have taken substantial, bold actions on building decarbonization policies and standards. The tenant notification timeline was far slower than what is needed, and equitable for tenants to have critical information for informed decisions, yet Portland was unwilling to take to move forward, even on these baby steps. This year's report on the faltering progress of the climate emergency plan is beyond disappointing. Outside of sf, very little has been accomplished in terms of strong climate policies and initiatives for the level of emissions reductions and climate resiliency efforts needed for the challenges we face. If Portland, of all places, cannot demonstrate the requisite council leadership, what hope is there for the country and the world? I work daily with folks in africa and latin America whose inhabitants are being ravaged by climate chaos at levels far beyond what we're seeing here in the states, and we ask you to begin by reversing this decision and having the courage to do what is right, which is to complete phase one and move forward on the next phases of actually setting building decarbonization policies in a timely way to meet climate deadlines. We can't afford delays in reducing emissions or in climate justice actions to ensure health and climate resiliency act now. Thank you.

Speaker: Thank you.

Speaker: Next. Individual please.

Speaker: Item 839 request of joanne reese to address council regarding temporary alternative shelter sites in lents neighborhood. Joanne is online.

Speaker: Very good. Good morning. Joanne.

Speaker: Can you hear me? Yes. Okay, great. Joanne lunn, strong housing team, volunteer safe west village, redway community advisory committee meeting. No elected official wants to take a walk through the city. Created lents humanitarian crisis, city sanctioned blight and historic disinvestment impacting a diverse, housed and unhoused poor, working poor and working class community. A shed with a bed and one meal, a day in a safe rest village where illegal activity is tolerated because contained in a struggling, resource drained neighborhood is not strategic, innovative nor humanitarian causes of deaths at the srvs and allegations of serious misconduct therein are considered policy matters only between the city and its contractors. What happens in the city stays in the city. Referrals to srvs are through unidentified nonprofits, with houseless neighbors waiting to be found in between sweeps. Spillover from sweeps downtown in central eastside and from sv ried way. Increased rv encampments, increased drug dealing, loose unsocialized dogs blocked ada access on safe routes to school greenways and transit centers. Fires dubiously lower crime rates attributable to the hopelessness of reporting when there is no enforcement, undelivered protections and benefits to immediate neighbors within the 1000 foot perimeter, clinton, triangle, and redway are site managed by the same operator. What a difference neighborhood demographics make. Clinton triangle and a more commercial neighborhood. Redway very residential. Clinton triangle with a comprehensive, inclusive nature and a community oversight committee meeting twice a month, once on site. Redway forced to accept a standardized dna resembling a poorly run homeowners association with a one hour monthly zoom advisory committee meeting. Community guidelines so flexible is to cause confusion for guests, practitioners and neighbors. Slow forthcoming wraparound services to read white guests when access to recovery services and life skills training, such as renter's rights and

responsibilities and responsible pet ownership, is optional. Successful transition to housing seems less likely. Subsidized housing and second chance reentry work opportunities will not tolerate on site and on the job. Drug use. The tolerance containment very low barrier srvs seem to have less successful housing retention rates. Hopefully county purview will be more accountable, transparent and humane, less paternalistic and reflect better stewardship of public dollars. The goal of the srvs was to provide stability through housing to vulnerable people on the road to recovery, equity and forethought need to direct shelter placement considerations if srvs are to go beyond tolerant containment. Thank you. I'm done.

Speaker: Thank you joanne. Appreciate it. Next individual please. 840.

Speaker: Request of sue vetrano to address council regarding stormwater rate increase. Sue is online. Welcome.

Speaker: Mayor. Council members. My name is sue vetrano. I'm here today to complain about the recent 73% increase in stormwater fees for large residential properties. The old charge was 9385 a quarter. The new one 6285 a quarter. I've raised several technical issues directly with the water bureau and administrative staff, and want to present policy concerns to you today, the materials on the water bureau's website raised several questions. For example, the bureau wants to quote, recover costs in proportion to the demands various customer classes placed on the system. If this is truly the objective of the city, the city needs to look at the beneficiaries of their stormwater projects for example, the big pipe never made it to much of the city. So in fairness, no property owners outside the actual reach of this work should have to pay for capital operation or maintenance. Second, in support of this astronomical rate increase, the bureau conducted a rate analysis whose primary finding was, quote, current bureau rates are among the highest surveyed, but rate increases of other surveyed are increasing faster. It appears the

actual reason for the 73% increase has nothing to do with funding, but winning some imaginary competition for most aggressive billing practices. And additionally, the bureau states that these changes will quote, incentivize the development of smaller and more affordable homes and remove certain burdensome costs for our customers. When did it become the water bureau practice to incentivize zoning policies? And what behavior is the city trying to elicit? Our large property owners encouraged to knock down existing homes and build a triplex? Finally, nowhere in the rate analysis is there a real world evaluation showing that large properties are contributing more to the stormwater system than other property types, the bureau fails to understand. Large properties usually cover less of the property with impermeable surfaces, allowing for more stormwater infiltration and less runoff. The city itself has made a major investment in these types of systems. Green street stormwater catch basins I strongly suggest the city rescind the recent stormwater rate changes. I also believe the city should conduct a rate study based on the actual operations of the bureau. Thank you for your time.

Speaker: Thank you. Sue. Appreciate it. Next individual please.

Speaker: Eight for one request of nehemiah vaughn to address council regarding kemp's on the sidewalk. Accessibility and traffic visibility. Nehemiah was going to join us online. I don't see them.

Speaker: All right, then, we'll go to 842. Please request of abigail ivey to address council regarding noise pollution from commercial sound system in southeast Portland.

Speaker: Abigail is online.

Speaker: Thank you. Welcome, abigail.

Speaker: Good morning. City Council members. My name is abigail ivey. I'm here today to discuss the music venue. Event hall at 14919 southeast stark street, 107. I

would like to begin by reading the city code title 18, so you can better understand why we are here today. It is the intent of City Council to minimize the exposure of citizens to the potential negative physiological and psychological effects of excessive noise and protect, promote and preserve the public health, safety and welfare. It is the intent of City Council to control the level of noise in a manner that promotes the use, value, enjoyment of property, conduct of business and reduces unnecessary and excessive sound in the environment. My partner and i's dream was to own our own home. That dream came true for us on December 23rd, 2019, when we were handed the keys to our own home in southeast Portland. We were overjoyed to grow food in our own raised beds, decorate our own home, and settle down to give back to our community. The next night, this dream was shattered when the walls and windows of our home began to shake and vibrate with so much intensity, we thought they were going to implode with the walls and windows of our new home began to shake. We thought they were going to implode from the base of the commercial sound system, from music hall next door, around 1 a.m, we called non-emergency to report the disturbance. When officers finally arrived, they said they were unable to assist due to the size of the gathering. They left and did not address the disturbance or the loud intoxicated crowd. Every weekend, the commercial sound system of this event hall shakes our walls. Windows rattle the floors vibrate. This occurs starting at 6:00 pm until around 2 a.m, with no assistance from Portland police or the noise control office. I am here to advocate for myself, a disabled citizen and my next door neighbor who is an elderly disabled veteran. In may of 2024, I found I could file a noise complaint online and started that process weekly. I followed up with noise control office, but they have done nothing with my logs. It has been over six months. I'm doing everything they have requested. There have been no updates on this complaint. Noise control office has even come out to

this venue when they are playing and has witnessed the noise violation firsthand. This business profits from noise pollution and harassing my neighborhood until past 2 a.m. Every Friday. Saturday and Sunday we have gone door to door in our neighborhood and there are many neighbors affected by the sound levels from this event hall. This is affecting my life. It is affecting my job and my health. I suffer from chronic migraines, which are a recognized disability, and the effects of this has put me in the emergency room twice in the last month due to the prolonged exposure due to loud vibrating sounds for hours on end. I truly hope that City Council can action on the statement that I have made here today. Thank you.

Speaker: Thank you and don't go away just yet. I think there's a couple of comments here.

Speaker: Commissioner Mapps abigail, thank you so much for your testimony today and I am sorry about your challenges here. I know you gave the address of the loud business. What's the name? But I think I missed it. I tried to put into google. What's the venue that's causing the problems?

Speaker: It's called fellowship and event hall.

Speaker: Fellowship and event hall. I was hoping to refer you to our noise program, because those are the folks who should be on the front lines here. It sounds like you have engaged with them. One of the things I might do is ask the deputy city administrator for that space, which I think is probably donnie, to follow up and have the noise office noise program get back to you. And i'll also say, colleagues, I'm sure we all hear complaints like this a fair bit. And I used to work adjacent to the noise program. Recently, I've noticed that our front line staff in that program is particularly small. Like maybe between 1 and 4 people, depending on what's happening in that space. I certainly hope that that's something which council looks at, frankly, in the new budget. But abigail, just to sum up, sorry for your

challenges. We'll see if we can get someone from the city's noise program to get back to you. And I see donnie making noise moving around behind me. We'll try to get someone to come and engage with you on this promptly. And it looks like we have maybe some action in the room.

Speaker: We actually do have somebody here. Beth benton is here from the noise control office.

Speaker: I've spoken at length with beth and filed a lot of logs. She and I have had a lot of correspondence. She's been a great advocate for me. I'm not really sure where there has been some hiccups. I was told back in August that she was moving forward with a fine to the business. I was then notified by another gentleman last week that that fine never was brought forward. He decided that he was not going to move forward with that fine back in August. So the business was not fined in August for whatever reason. So I'm I'm here today speaking to City Council because there's just been no progress. And you know, I'm at a point where I'm I'm having to seek legal representation for myself to try to get something to happen on a legal front because I'm not getting anywhere with the noise control office. The Portland police bureau comes out. They tell me they can't do anything, and I certainly don't want to have to sell my home because I do love where I live. You know, I love my neighbors, I love the community, but I have chronic migraines and my doctor has informed me that I'm this is one of the triggers that is causing the migraines.

Speaker: Thank you for that. Beth. Did you have anything to. It sounds like you're in communications. You're trying to. We are through.

Speaker: And we have a staff of one inspector, one enforcement officer. So it becomes a partnership with the public, with abigail to do enforcement. So she has been great. She has provided us logs of event times and what she's experiencing. So we can have that evidence to take to a hearing if we need to. I'm not sure what

happened in August, but we have issued a citation not only to the property owner, but also the tenant. This is a rented commercial space, so you've got the property owner and then a tenant, and both of which are out of town.

Speaker: So we have when you say out of town, do you mean they are temporarily out of town or they don't live here, they reside in other cities.

Speaker: Okay. They are not local to Portland. All right. But we have issued those citations. We will continue to issue citations. And they grow quite rapidly. After the first one. We did send them certified mail. So we should be getting those notifications back. I encourage abigail to continue to send me the logs. We will use those as our evidence to continue escalating this enforcement. I, I have also mentioned this to the police. The teams in that area to please pay attention to what's going on on the weekends and then report that back to us for our file. And then I also know the olcc has sent inspectors out to this site recently with a party that was taking place.

Speaker: All right. Good. Well, this is all good news in terms of the follow up, and I appreciate it. Beth. And abigail, you sort of get a bonus today because the chief of police, bob day, happens to be here as well. On another matter. So he's listening to this conversation as well. And i, I truly empathize with thank you. Circumstances you're experiencing. Commissioner Mapps had another follow up. Oh, sure.

Speaker: Well, I want to thank beth for being here and abigail for bringing this up. I hope that the noise program in abigail can stay engaged. And at a policy level, you know, I really appreciate beth reminding us that we got one noise, inspector, for a city of 640,000 people. I don't know if my other colleagues have noticed the complaints and situations like abigail's that come into your office. I certainly do, and have been down this road, and I think part of the challenge here is staffing, and

some of it is perhaps non-compliant property owners too, but something to, I think, lean into in the coming year.

Speaker: Yeah I agree. Thanks, commissioner. Thank you abigail. Thank you beth. Thank you. Appreciate it very much. I understand 841 is back in the room. Is that correct? That's correct.

Speaker: All right. 841 request of nehemiah vaughn to address council regarding camps on the sidewalk, accessibility and traffic visibility. Welcome.

Speaker: Nehemiah.

Speaker: Nehemiah. You're muted. There you go. There we go. Yes. Go ahead. We can hear you.

Speaker: Okay. To the members, to the mayor and members of City Council. Highway 30 going eastbound on 143rd sandy boulevard has become a very busy corridor. Garden meadows senior community, our great community have recently experienced a loss of the pedestrian, sidewalk, bus stop, access to the fire pump for housing due to trailers, rvs, boats, stolen vehicles. What measures can be implemented for this concern? This is the third time we've experienced the takeover of the city. Sidewalks from 1/41 to 148. Many seniors pedestrians use this part of the corridor to travel. What measures can be implemented to help this part of sandy boulevard? Thank you for the no parking bus signage or cones have showed up to divert the parking as this is a highway 311 has taken many calls about the highway and how it affects our vision to merge eastbound to go westbound, the rv's block the oncoming view of traffic. Pedestrians have to walk on the north side of the white line. I have seen accidents due to citizens double parking, drug dealing and stolen property for the past two months. Rapid response did a great job cleaning up this stretch of sandy boulevard. Please consider how we can help this community and help those seniors who still work that use this bus stop.

Speaker: Thank you. And if I could just make a couple of comments. First of all, thank you for being here today. Thank you for sharing some of the images to make it clear, as you're well aware, this area is a hot spot. It's been an ongoing focus of our cleanup, our outreach, and our removal teams. I think we've we've done complete cleanups and removals of that area. Like, I don't know exactly, but it's probably like three times in the last three months. Yes. That's correct. It's also, as you know, it's a fairly complicated mix of both private and public property ownership and sidewalks. So that's that's been a little bit of a problem. But I think we've resolved some of those issues. We agree with you that while the tents have been removed, the rvs continue to be a significant issue in that area. That requires a little extra coordination and a little extra service delivery to address that. But we're we're in agreement with you on that. One of the areas where we see additional opportunities specifically for that location, 1/43 and sandy is we've engaged our what we call our street services coordination center. And of course, pbpt to look at potential hardening solutions for that area. Physical barriers. And they are in active conversations right now. And you may even be involved in those discussions. I don't know if you are or aren't, but I know that there are some people in that immediate vicinity who are specifically involved with qpsk and pbpt in those hardening discussions. If you'd like, we can actually further reach out to you. We have a problem solver group that meets in that area. I think they meet every other week. If I remember correctly. If you'd like to be part of that group, we'd love to have you be engaged on that group. If you've got the time and the energy to do that, just let me know and we can outreach to you.

Speaker: Yes, I would like to be a part of that part of the community and just a representative for the senior community here at garden meadows, which is a lot of

seniors that still work, that they couldn't use that bus stop because of the concerns. So yes, I would be oh, that's that's fantastic.

Speaker: I really appreciate it. And sarah, can you make sure that that we reach out. Great. Thank you. Thank you for that. And commissioner Ryan has a comment as well.

Speaker: Mayor Wheeler, thank you for the dialog you just had. That was helpful. I think we know this is a problem that's so chronic, especially in outer north and outer east Portland. And I know commissioner Mapps when you took over pbot, there was a lot of steps in the right direction. We for a few years didn't do anything with vehicles, abandoned vehicles and rvs. And we have the current solution is moving them one mile from where they were. And so it's not really working very well. So I just hope that we continue to figure problem solve what the policy is with that. And I hope that we continue to be transparent with the neighbors and outer east and outer north of Portland, the delta park area, people could come and say the same thing for example.

Speaker: Yeah, well, thank you, commissioner Ryan. I think I want to compliment pbot for their engagement with the rv issue. I, I believe, although I'm not the expert in the room, that we probably have a more nuanced policy and set of solutions than just moving people one mile, although certainly it can happen in, in that particular situation. One of the things I might ask is that either jackson from my staff or the deputy city administrator for infrastructure, send a memo out to council council offices so that we all understand what our current towing policy is and what our current rv policies are.

Speaker: This was the current one. I mean, we all of us have been bird dogging things like this. Yeah. What I experienced with these constituent concerns is what I said. And then they come back very quickly. And so I just hope that we know that

we have to keep improving our solution on this one. Absolutely. And I know that you inherited a really deep mess. And I also know from opening the first safe rest village for rvs how complicated it is even to get them into those areas. And we're not the only city that's had to look at this. Many cities have just a designated area where they put them without much services. So I just think we're at such a pinch point on this one. And it's at a point where we've got to come up with a better practice than the current one we have. I think we all know that.

Speaker: I had a follow up question, just to clarify. So we updated code a few weeks ago, specifically addressed rvs. And where's the one mile coming from here?

Speaker: Jackson, priya or jackson or either one of you ready to address that? I see jackson on my team coming up. Come on up, jackson, and tell us your name and then educate us.

Speaker: I'm guessing it's jackson.

Speaker: Yeah, I can I can speak to this a little bit. Not not terribly deeply. Sorry. My name is jackson paul, a policy advisor for commissioner Mapps. So when we came into office initially, I think pbot was operating under a much more narrow framework. This is really more along the lines of policy or sort of internal policy rather than strictly written into code. So I think it was a few hundred feet. So vehicles move a few blocks and we moved it up to a mile looking to try to, I would say, keep those problems from becoming more deeply impacted into specific neighborhoods. So when we aren't able to legally tow a vehicle from Portland streets, it's not going to just cycle around the same neighborhood. Obviously, that doesn't immediately solve the problem. That is just one piece of the solution. So if you are having to move a vehicle one mile instead of a few hundred feet, that sort of shifts the cost benefit analysis of then accepting what comes at every contact, which is an offer of service.

Speaker: Jackson, can I ask a quick force? Absolutely. Do we have a strategy for actually removing arv's from the streets, especially if they're dangerous or unsafe?

Speaker: Absolutely yes. So one sort of subsection of the code updates and I guess we can shift back a little bit. So before we brought the code updates to title 16, one of the sort of key pieces of getting rv enforcement back on its feet was reestablishing our connection with Multnomah County that had been severed under previous pbot leadership. And so what that led to was us reestablishing that connection and getting the county to start issuing something called a tag warrant again. And what that does is it allows pbot to actually step forward and seize a vehicle rather than going going through, you know, step by step by step. Our initial process, it's essentially similar to if I broke the law and a warrant was issued for my arrest. It's very similar to that vehicle. So they have then the right to step forward and usually place an immobilizing device on that vehicle, typically a boot and so reestablishing that program, there is a specific threshold that you have to meet in order to qualify for a tag warrant. And I believe, don't quote me specifically on the numbers. I believe it is six unaddressed citations and over \$500 in assessed fines.

Speaker: Is that dictated by statute?

Speaker: I believe that is county rule. I would I would look to mike gordon nodding somehow suggest that the county does this through vehicle registrations.

Speaker: And so that's state jurisdiction. County may carry that out, but I suspect that it's through the vehicle registration. So they tag it. But whether the source is statute or Multnomah County's interpretation, I don't know the answer to that specifically.

Speaker: Got it. And so the reason that Multnomah County is the one that issues tags warrants is because they're responsible for registration in the region.

Speaker: Yeah. So that's I'm really glad you brought that up. It's a very key issue. So for us here at the city, our ability to sort of remove folks property and hold that is different is it's in a different process than specifically going through the courts. And so if you look to a lot of the data surrounding this. So when we were initially getting the tag warrant program set back up, you have, you know, a spreadsheet of all folks who are in the, specifically in the downtown area who would qualify. And one of our you would call them sort of public enemy number one is an individual who obviously won't name, but is able to rack up over \$10,000 in unaddressed fines because when you are retrieving property from the city, you cover the cost of the tow. You cover the admin fees, and that is all that is legally required for the city to then be required to release your vehicle to you when you re sort of and see when you reintroduce the court system to that. Now you are in front of a judge. Now you are contacting the court system, and so we'll use that same individual as as a case study towed very early under the new days of the tag warrant program have to go out of pocket several thousand dollars to get their vehicle back, and then on a payment plan for the rest of it. So does that does that answer your question?

Speaker: I think so, and I and we probably can take this offline. I mean, it's just an excruciating process right now. And I am so appreciative of the work that you have done, Jackson and commissioner Mapps, to get us going in the right direction here. But I just the concept that we're still creating an avenue where people can just move down the road when they just give the finger to any sense of, you know, public decency or. Yeah, absolutely. Portland is painful to hear. And I and you know that we're dependent on the county for yet again, something else that's so important to cleaning up our streets is its own, a whole nother level of frustration.

Speaker: And that is sort of also another way that you, you sort of bring the tag warrant program into this as well. Is when you do show up with a tag warrant that

one mile is no longer an issue. When you say, I am here with a warrant for the vehicle, there is not an option to then drive away. And so in in our in our sort of vision, this is also about consistency and enforcement because I think we've we've all heard from members of the public saying, you know, I got a ticket for parking illegally, but there's an rv across the street that's not getting tickets. And so re incentivizing parking enforcement to say, no, we're ticketing across the board. We are ticketing for everything. And that can also be an avenue to say that is also how we get these vehicles off the street. And when you show up with a tag warrant for a vehicle saying, we are, you know, removing this vehicle from the streets today, but we're not coming empty handed, we have a bed for you in a safe rest village. We have a bed for you in a test site, and we're going to connect you with services and go ahead.

Speaker: Commissioner.

Speaker: Commissioner, this I first of all. Thank you. Jackson, I know you were just here on this policy. I'm glad we're finally engaging with it. I kind of felt like the lone voice last time you were here with that policy, and I think you were out of town. You were on the trip. But let's take a little bit of time for this one, because here's a couple more questions. First of all, pbob, thank you. You're doing outreach work. And when I asked in the budget last year that we could start tracking the expense that each bureau faces as we deal with our humanitarian crisis, I meant it, and I hope to get that data soon. Yeah, of course, this is a prime example of that. So then I want to follow up with questions like where's the joint office? The so-called joint office outreach workers when it comes to this system, so that that is a good question, and I'm not sure that's one that I am equipped to answer.

Speaker: That's okay.

Speaker: And it could be no, they're not they're they're missing in action.

Speaker: So I think that's fascinating.

Speaker: So my point is we have this thing called service resistance that seems to be an accepted thing. And we know that if we're going to be real leaders right now, we have to get to the bottom of service resistance. And so I wonder how many are service resistant.

Speaker: That's actually a I'm glad you brought that up. That's a really a good point because you you can kind of view the populations of unsheltered folks on the street in, in, in very different sort of categories. Folks that live in rvs tend to be, I would say, higher on that service resistance scale for, for obvious reasons, because I have a bricks and mortar system that is a part of the underground criminality that's going on.

Speaker: Everyone knows that that's that's not all of them, but it is many, of course. And so we're not getting to the bottom of it. So when we've advocated, like all of us have, they move a mile, they come back a few days and all of that criminality comes back. We've lost a couple of businesses over this, more than a couple. And so I'm glad that we're spending a little bit more time on this issue. And I hope again, this is something that when we talk about what's the roles and responsibilities of our first response when it comes to our humanitarian crisis, we have more clarity between what does a city do? What does a county do? This isn't about pointing fingers. It's about getting our job done.

Speaker: Oh of course, yeah. And if I can, if I can jump in and sort of shine a light on a response that I highlighted during when the title 16 item came to council. And that was specifically the response on northeast 33rd drive. I think I like to hold that up as pretty much the gold standard for how we engage here. We have, you know, folks on the ground beforehand offering shelter, letting them know, hey, this response is coming on the day of we have outreach workers there with the next

team. So neighborhood response team folks who know that area very well. And I think on that day we were able to get 40 or 50 people to accept referrals to shelter, get them into test sites, get them into rvs, and so to your point, I think commissioner Mapps has mentioned this quite a few times during the conversations for the joint office. Is exactly what you're getting to. Is the city had all of that, all, all, all or most of that response in house? Does that need to be the case. And certainly that's for, for policy folks to opine on. And in my position as a policy advisor, I would say certainly not. There's plenty of that response that that by its very nature should live with Multnomah County. And the city has done a fantastic job of setting up those services over the last several years, but at great personal can't do it alone.

Speaker: And is the person that the city with the most lived experience of managing this very tough work? Lucas hilliard, is he part of your team?

Speaker: So lucas is with irp. I know, and so I don't care very, very much.

Speaker: So I'd like to break down silos.

Speaker: Oh of course. Absolutely. And I appreciate that. So lucas and his team definitely very much involved and especially in that response, very much involved. And I think that's also part of the conversation going forward is the response to lived in rvs is something that will say, i'll pick my words very carefully, but that was something that came into pbot sphere of responsibility over the course of the pandemic. More so than I think reasonably should be, which is why I want to track the budget, of course. And so at around \$87 per linear foot and removing 40 to 60 rvs, a month, given our current capacity, it's hundreds of thousands of dollars each, each month, usually about 100 to \$150,000 a month. Given our current capacity. And so that's every year. It's millions of dollars in unsecured costs against the bureau. And personally, our conversations have been trying to steer towards where

should that service lie. And I think there's a great argument to be made that the response to lived in rvs should be a part of the city's overall homelessness response system. Drawing from those resources, rather than drawing from the general fund, was protected by previous pbot commissioners.

Speaker: And again, because commissioner Mapps leadership, it's moving, the soils loosening and we just have to now keep taking more steps.

Speaker: It's going to take a lot of work.

Speaker: And I think, again, we had this conversation two weeks ago, but I think it was way more robust today. I think it got more real. Thank you, mr. Vaughn, for coming and waking us up to continue to focus on one of the big concerns in our community of livability concerns. Thank you. Thank you so much, jackson.

Speaker: Yeah.

Speaker: Real quickly, mr. Mayor, I recognize we need to move on. But before we go, I want to thank my dialogs for that, my colleagues for that dialog. I want to thank jackson for his tireless work in this policy area. And obviously, I think we've hit upon an important policy question which still needs more attention from council. So I might ask mike, what's the appropriate in the new form of government or current form of government? How do we follow up on this conversation and move this, this forward? I don't know if this is a mike question or a question. It kind of seems like it straddles both of your portfolios.

Speaker: Well, I think jackson has touched on one of the major issues, and that is we're currently putting most of this burden on pbot, and it's probably inappropriately there from a previous evolution. Not that they don't have a role to play, but this is really more about unhoused individuals than it is. And they happen to be in a derelict rv and causing a real problem in a neighborhood. So it's a broader issue than just pbot. So there's both a policy issue and a budget issue, and

we should be bringing something to you for the next budget regarding how we can better align. I'm not saying we will ever have enough money to chase this problem forever by ourselves, but it's a combination of the policy issue. Your issue about where's the authority to deal with these issues. I think the tag issue is about registration, which is a state requirement. So it's a combination of things. Just like all the other issues we're facing with the houseless crisis in the city. But we have your your word, Jackson, evolve to a place where the burden is maybe inappropriately fallen on pbot. And so we need to make some adjustments and bring you some changes.

Speaker: Great. So the next time we'll see that, it sounds like it's probably in the in the budget. It's in the budget process. So great, great great commissioner Gonzalez.

Speaker: So and I appreciate the dialog about the disproportionate impact on pbot. That's an operational piece though at some level, and I think it's valid. There's a budgetary component I totally follow. I just want to be crystal clear. Is there a policy barriers that this council can address to more forcefully drive these folks into shelter and accepting what we offer, or driving them the hell out of the city of Portland? And it's because it is irresponsible that we have tolerated this repeat behavior from the same people over and over again. So I guess that's the question. The one mile is that something we can address as council, or is there other tools we can give to pbot and the police to very directly drive more healthy behaviors, accept our offers of shelter or go someplace else?

Speaker: Yes. So the one mile is absolutely something that can be addressed by. Well, I guess since since that no longer lives with, with council proper, that would be a conversation between this council and the city administrative structure. I'd say something that I'm working on right now is not not necessarily my, my, my direct forte is digging through the data from from toes. And I think I mentioned this when

I last came to council from the last several years, just sort of understanding where these vehicles are coming from, because at the rate that we're removing these vehicles and I track this data pretty closely over the last two years. So basically from from the time commissioner Mapps came on in charge of pbot, we're towing more rvs now than we ever have. Right. But the number on the street and how we talked about, I think perception and the feeling of safety during the conversation yesterday with the with the joint office is we are not seeing a commensurate decline in the number of rvs and reports of rvs on Portland streets, which indicates to me from a policy position that we have an inflow of these vehicles that are either from residents in the city of Portland or from surrounding jurisdictions, and I think that is where the city can then start to apply some pressure, because if these vehicles are entering Portland from outside jurisdictions, one element of title 16, the updates that we brought to council allows us to go after the last registered owner of these vehicles, so if they are dumping, you know, dead stock onto Portland streets, we are now going to be going after them for the costs that we incur in actually taking these vehicles off the street. But in terms of how can we apply more pressure? We are bound by the law. There is a certain amount of legal process that you have to go through before you remove someone's property. And if someone is the registered and legal owner of an rv, we have to go through the proper process, which is why reestablishing the tag warrant program and starting to say aggressively ticket, but ticket for violations that we see and starting a full enforcement push bringing on 22 new parking enforcement staff and starting an enforcement push across the entire city, not just in the meter districts, is exactly how we get there. But again, 22 bodies is not, you know, that's not a light switch. You don't you don't make that change overnight. And so you have, I think, the rules

in place, the staffing model is moving in the right direction. And now it is just about doing the work.

Speaker: Great. If I could get one more on this.

Speaker: We do have to move on.

Speaker: And colleagues, there's a lot of interest here. I would propose that there be briefings for each of the council offices. Obviously, Hank from my team is working very closely. Absolutely. Jackson and Pbot, this is a very complicated issue. And I'm sitting here sort of reminiscing about how many of these conversations I've had over eight years. And actually it started with Commissioner Dan Saltzman almost eight years ago. And when we started seeing an influx of these vehicles and it is it's very difficult because you have constitutional issues. You have issues with regard to hazmat. A number of these vehicles are meth labs, and they need to be disposed of properly. You also have chain of ownership issues related to these vehicles. And prior councils have in fact tried to close some of the gaps around the circumstances of these vehicles when they are transferred from one owner to another. We have gone to Salem and we have changed state statute with regard to these vehicles in the past. And of course, the chief knows here that his folks have have been involved in various enforcement issues related to RVs for a long, long time. And we'd all like it to just stop. So I think this is an issue where Commissioner Mapps, thank you, Jackson. Hank from my team, you're probably out there listening somewhere. Yes. We need to keep working and pushing hard, and I look forward to seeing more enforcement and fewer of these RVs.

Speaker: Mayor Wheeler, can we overlay the daytime camping ban, coupled with the rewrite of to measure 110? That allows us to arrest people for open air drug use? I don't see these as anything different than a tent.

Speaker: They're not residences under state statute.

Speaker: Unfortunately, they are different.

Speaker: The their residences, when they're illegally parked on a street, they can get.

Speaker: Yeah.

Speaker: Sometimes you just got to you know, lead with common sense and, and ask for forgiveness from the state later. Perhaps that's my.

Speaker: Yeah I hear you. Yeah. And so yeah, we'll definitely work on getting briefings together or possibly if we have a work session.

Speaker: Since the chief is here, I want to clarify. I will absolutely abide by the law at all times.

Speaker: Absolutely.

Speaker: And jackson, when you were briefing, I just this one mile thing, I think I follow what you're saying. I, I but I want to be crystal clear is that essentially an administrative decision that on the one mile and if so, I think we really need to rethink that it and tying it to the offers of services, I mean, at some point, enough is enough. It's a sidewalk and it's the city of Portland. You're not allowed to park there, period. And we have to recalibrate the expectations in our community. So I don't again, I don't know if that's an administrative interpretation at this point or we're tying that to some language in our city code, or we're tying that to something in state law. But at some point we've got to decouple these two things.

Speaker: Absolutely. Yeah. I'm happy to have additional conversations with you.

Speaker: Thanks, jackson.

Speaker: We got to move on to the consent agenda. Any item been pulled? No.

Speaker: Call the role maps.

Speaker: I yea. Rubio I Ryan Gonzalez. I Wheeler I enthusiastically supported I vote I the consent agenda is adopted first time certain item please item 843. Except 2023 annual cannabis policy report by the cannabis policy oversight team.

Speaker: As you heard, this is a report. I'll turn it over to danny oliveira for community and economic development to kick us off. Good morning.

Speaker: Good morning mayor. Thank you. Don oliveira, for the record. Good morning. Council. This item is to accept the 2023 annual cannabis policy report from the cannabis policy oversight team, housed within Portland permitting development. The cannabis program oversees the work of the cannabis policy oversight team. Cbo t, a public advisory body that provides recommendations on cannabis policy. With the onset of legalization in 2015, Portland became the only jurisdiction in Oregon to adopt their own regulations and licensing program. The oversight team has been established to allow community and cannabis advocates to engage with local regulatory agencies as a way to improve community engagement and respond to calls to action to improve conditions in the industry and impacts of our cannabis in our communities. There are many ongoing challenges in the local market, including but not limited to, low prices, persistent safety issues, and a lack of access to services afforded to other legal businesses. Local businesses, especially smaller operators, are particularly stressed about license fee increases. Tight margins and public safety.

Speaker: So I'm sorry, is this supposed to be changing or is this all the introduction?

Speaker: This is just me, okay, great.

Speaker: I just want to make sure that we weren't missing out on something. No.

Speaker: And so I'm going to turn it over to the staff to lead the presentation. We have cannabis and liquor programs manager christina corsi and phil kim, cannabis program policy coordinator. They're going to walk through the report.

Speaker: Perfect. Thanks.

Speaker: Good morning, mayor Wheeler. Commissioners and mr. Jordan, for the record, my name is christina corsi and I am the cannabis and liquor program manager with Portland permitting and development. I'm here today with my colleague phil keim, cannabis policy coordinator, to present the 2023 annual cannabis policy report drafted by the cannabis policy oversight team. Next slide please. Welcome. The 2023 annual cannabis policy report serves as a vital instrument for policymakers, offering a detailed overview of the industry's dynamics, particularly focusing on the issues of equity, public safety, and economic viability. At its core, the report is a call to action for the city of Portland and its stakeholders, emphasizing the need to address systemic inequities and to foster a cannabis industry that is equitable, safe and sustainable. The full policy report boasts a total of nine recommendations. However, in the interest of time, we will only be reporting on the top three that the advisory body chose to highlight these recommendations being presented. Focus the priorities identified by our safety, local business and community impact subcommittees. Next slide please. The cannabis policy oversight team is a public advisory body made up of a diverse group of volunteers consisting of public health advocates, cannabis industry representatives and advocates, legal representatives and community members that provide recommendations on cannabis policy. The advisory body created three subcommittees which focused on priority issues of community impact, local business and cannabis safety. The subcommittees hosted guest appearances from researchers, law enforcement officials, experts, and public safety advocates for

youth and cannabis industry workers. These groups brainstormed, conducted research, and asked the questions that led to the creation of the recommendations contained in this annual report. For this report, cbo adopted the equity centered framework for measuring policy impact developed by the cannabis equity health equity movement. Kemp states that social ecosystems create and sustain healthy people, communities, and society by optimizing the four detriments of well-being which fall into the following categories economic, environmental, human, and social equity. Next slide please. The top recommendation from the safety subcommittee is to create a pilot grant program funded from recreational cannabis tax that incentivizes adopting proactive video monitoring security systems at cannabis businesses. This pilot program would prioritize neighborhoods with the highest concentration of high crime rates, and the data and insights gained from the pilot would be used for informed policy decisions during the safety subcommittee meetings last year, we heard from pbb local business owners and security experts who all feel frustrated with the threat to employees physical safety and overall public safety in the city. While we acknowledge the criminals target all kinds of businesses, the unique cash based structure coupled with product causes cannabis businesses to be particularly vulnerable in our meetings, we discussed a layered approach to public safety that provides more protection and possible solutions, creating a collaboration amongst public safety professionals to address crime. Pbem actively analyzes real time video feeds, automatic lethal threats, and serving as a proactive deterrent which a third party performs. This monitoring and is not a function of the police. Since pbem is an advanced system, it carries higher implementation costs than traditional cctv systems to support struggling cannabis businesses in Portland and bolster the safety and security of the entire community. Financial support is needed for businesses to adopt pbem solutions such a

program would not only safeguard monitored areas areas, but also expedite the apprehension of offenders, thus proving invaluable in the fight to curb crime. Targeting cannabis establishments and other businesses in Portland. Next slide please. This graph shown was obtained from a comprehensive report commissioned by cpa from the Portland police bureau. This is showing burglary, robbery and vandalism trends for cannabis businesses from 2016 to June 2023. It is apparent the spike in criminal activity since 2020 data in the pbb report show at least 537 reported incidences since 2020. Further data obtained from the Oregon liquor and cannabis commission indicate another 85 incidences between July 2023 and September 2024. Portland accounts for 69.7% of all crimes against cannabis businesses statewide. One thing to note as time progresses, these criminals are getting more brazen and the consequences for our Portland businesses are becoming more severe. The latest armed robbery just last week at a st. Johns location, took the life of two people, whether it be a pbem pilot program or something else. Safety is an issue for our businesses and its workers and must be addressed. Next slide please.

Speaker: Good morning council. Phil crime policy coordinator with the cannabis program. The second recommendation we want to lift up comes from the local business subcommittee and asked the cannabis program to advocate for legislative priority through our work with the office of government relations. That advances the creation of a new license type for cannabis businesses that permits the sale of cannabis at an outdoor event and allows consumption of cannabis on site. So what we're talking about here is referred to as social consumption or cannabis hospitality, and to be clear, we're not advocating for public consumption of cannabis. It remains unlawful to smoke or vape on a sidewalk, at a park or anywhere else in public view. Rather, we seek to get Portland up to speed with

other places that have embraced the regulation of private consumption. Spaces like California State Fair, which drew over 100,000 visitors this summer, or various hospitality businesses in West Hollywood, Denver, Las Vegas and other cities that draw locals and tourists to consume. With their friends in a safe and regulated environment. In Oregon, consumption of cannabis is only legal in the privacy of one's home. It's not legal to consume in public view, and landlords and property management companies can and do prohibit cannabis use by renters. CBO.

References. A report from the Portland Housing Bureau, and highlights that nearly 47% of Portlanders are renters, and of those renters, more than 70% of Black and Hawaiian Pacific Islander residents and 60% of Latinx and Native American residents are renters. So while in the past cannabis prohibition resulted in higher arrest and imprisonment rates for communities of color, those same communities continue to feel disproportionate discrimination in a legal, regulated environment. And in the past, the city has issued testimony in support of bills down in Salem that would have created consumption lounges or indoor spaces that allow for adults to purchase and consume cannabis. But this recommendation from this last year's report recognizes that legislative history and the challenge to amend the indoor clean air act and instead request that we work with policymakers to advocate for permits administered by local governments to regulate the safe and legal consumption of cannabis at private outdoor events. And I know a letter has been submitted on this agenda item supporting this idea, but advocating for brick and mortar indoor consumption spaces. But whether indoor or outdoor licenses or permits become a reality, we stand ready to partner with stakeholders to create fair regulations for these environments. Next slide please. The last recommendation I'll emphasize is the second recommendation from the Community Impacts Subcommittee, which asked the City of Portland to retain its current level of funding

for economic equity investments and increased transparency of how cannabis tax dollars received from the state of Oregon are allocated at the city. We demonstrate our commitment to furthering economic equity by how we allocate the 3% local tax on cannabis products. Those funds support programs at Portland housing bureau, at the Portland bureau of transportation and Portland street response. Additionally, Prosper Portland receives local cannabis tax revenue that's used in several projects that advance economic equity and the city is experiencing a shortfall in expected cannabis tax revenue. Last year, the city budget office shared that a decline in recreational cannabis tax funds would result in a 5% cut to all bureaus or programs receiving funding. CBO recommended that when making budget decisions, the city should change course from enacting equal budget cuts to all bureaus receiving cannabis tax dollars, and instead emphasize the importance of economic equity investments by keeping allocations at or above current service levels and support further recommended in this recommendation. Accounting in the city's annual budget. What bureaus or programs we fund using state cannabis tax revenues and requests, we collaborate with state policymakers, trade organizations, the OLC and our federal delegation to champion economic equity policies at the state and federal level. And last slide, please. So the three problems and proposed solutions we just shared were voted by the current POT members as the most important issues to emphasize during this presentation. But I'd encourage anyone to read the entire report, which is linked in this agenda item. And on our website. As we've worked to understand how our program fits in at P and D and our service area, and how C POT operates, and we recognize how our city government is continuing to evolve to meet the expectations of voters who passed charter reform. So too should support evolve. And so to that end, we look forward to returning in council next year to share the results of an ongoing community engagement activity and

plan to relaunch a cannabis advisory body that's effective, has clear responsibilities and prioritizes commitments to public health, safety, environmental and economic sustainability for the cannabis industry. And the last and most important thing I want to emphasize here is my appreciation for all the volunteers cbo voting members, and people who showed up to subcommittee meetings, contributing countless hours to the work here that created this annual report. And thank you again for the time to present today. We look forward to continuing to work collaboratively with our community partners to strengthen our cannabis advisory bodies. Impact. With our new form of government next year and beyond. Thank you, thank you.

Speaker: Okay. Thank you.

Speaker: All right. Good. Do we have any public testimony?

Speaker: We do. We have one person signed up.

Speaker: Let's hear them. And, chief, we're moving yours next.

Speaker: Jake granger.

Speaker: Welcome, jake.

Speaker: Looks like they're getting reconnected. Okay.

Speaker: Jake. You're muted. We have some questions for you guys.

Speaker: Hello. Am I there? Can you hear me? Hear you loud and clear.

Speaker: Welcome.

Speaker: Awesome. Thanks for having me. I'm here to just point out some stuff that was already mentioned in that previous presentation, specifically about transparency and accountability, and how some of these funds are spent in some of these non-profits that are appointed. These funds. I think that specifically in a couple of these non-profits, there's rampant corruption. In what world does it make sense to have a cannabis business owner in charge of a nonprofit dictating where

these cannabis funds are being sent? I think that's a direct conflict of interest, and any cannabis owner who owns a dispensary or a farm or any olcc licensed business should not be in direct charge of how these funds are dictated to these cannabis businesses. And it seems like with some of these non-profits, specifically new leaf project or new project, or however you however it is, it seems like there's a direct connection to people who own cannabis businesses and then the people who dictate the funds and how they're spent. And there's very little to no accountability or transaction or transparency to how this money is allocated. If it's benefiting their own interests, if they're taking exorbitant salaries off the top before any of this money is allocated to any people of need. You know, I think that there just needs to be a lot more transparency and accountability. And if you know there is some corruption, some steps need to be, you know, someone needs to step in and take some action. It's I own a cannabis business. I spend 20 to \$25,000, sometimes \$30,000 a month in taxes, and it kind of hurts my soul to give this money away every month, and then to just see it be spent with with greed and envy and corruption and even with some of these other non-profits, I believe the reimaged Oregon grant just awarded millions of dollars to different people, and not one business was any sort of cannabis business. It all went to non cannabis stuff, and I believe that's due to some sort of laws and other weird loopholes they have to follow. But I think it's mind boggling that we're funding these programs and none of the cannabis businesses are seeing a dime of it. And if they're supposed to be seeing it, it's somebody who is who is, who has their own cannabis business and their own vested interests.

Speaker: Thank you Jake. Appreciate your being here. Couple of comments. Commissioner Mapps and commissioner Ryan.

Speaker: Sure. I think, mike, I have a couple of quick questions for staff. Let's why don't we start with the public or the safety piece here? The pbem program. What is the plan for implementing that or moving forward with the recommendations there? I'll tell you, I think the legalization of cannabis has largely been successful, except around safety issues. And we see this in your crime data. I believe in the last couple of days, we also had sort of a tragic pair of shootings, perhaps around a cannabis business. So this is a space where we need to get much, much better. And one of the things I hope this report will spur us to do is to make some changes in this area. So what is the plan for implementing pbem or so?

Speaker: Currently there is not a plan. This was just a recommendation. Recommendation to move forward with it. So what we would have to do is develop some type of plan. Of course we would need to be allocated some cannabis tax revenue from the recreational cannabis tax fund in order to move forward with this type of pilot program. So very early conversations, but would love to have further conversations if there's an interest for that.

Speaker: What's the who's the policy maker that says go forth and figure this out? Yeah.

Speaker: Thank you, commissioner donnie oliveira, for the record, commissioner, assuming this council adopts this report, we would take the findings and the recommendations and start to evaluate the next steps for planning, looking at the next budget cycle for a place to advocate and allocate resources so it would be a part of the next budget request.

Speaker: Excellent. Well, donnie and friends, I very much encourage you to explore moving forward with a proposal for the budget around pbem and other security programs. On the other hand, I appreciate the good work that's gone into this space. I'll just be transparent. And this is I'm just speaking for myself right now, and

I haven't been fully briefed up or whatnot. I am less sold on the social consumption of cannabis. I have certainly met with in the past. I've met with folks from the cannabis industry who've made this pitch to me. I kind of get it, but given all the other social challenges that we have out there right now, I'm not sure if this is the experiment I want to try. So I hope I hope there's further council level conversation around that particular proposal. And finally, one of the things that it wasn't really clearly addressed in your report, but I'm sure curious about and I think it holds important lessons, is I think this is one of our first reports since the cannabis program has moved into bts, and or maybe not. Is it the second one?

Speaker: Sort of yes to both.

Speaker: Yeah. I'm just kind of curious. And there's really not a sharp there's not a hook here. How is that going? I mean, I was very much in civic life with the cannabis program was in civic life. Not sure if that was the best home for it. I can see the logic for bts, but it also I don't have a whole lot of intuition any lessons learned or thoughts about the current home for the program?

Speaker: Yes, in full transparency, I do not believe that the cannabis program belongs at permitting and development. I wish there would have been further conversations in the very beginning. You know, talking to staff, saying, you know, what we actually did in the program, what we wished we could go forward with and then decide a proper spot for us.

Speaker: So where where are the friction points with the cannabis program being in bts?

Speaker: I will say that there is a ton of transition, not only citywide, but also with bds. You know, we've had director turnover and then so there's getting acclimated to that. We also just transitioned into ppe and I would like to have further

conversations with leadership and get more notice for our program, because we do a lot of good work. Sure, absolutely.

Speaker: Certainly if you take a look at this movement nationwide, I think Portland has done has been a leader in standing up these programs. Very proud of the work that you've done. I appreciate your transparency. I hope you didn't get you in trouble here by asking that question. That was not my intent. But as we go about reimagining our org chart and our business processes, I think kind of checking in to see how our restructuring is going makes a lot of sense. I'll encourage folks who are in the building a year from now to continue to look at this. I will certainly vote for this, this report. And mr. Mayor, that's all I got so I can shut up now.

Speaker: Thank you. Commissioner Mapps good questions, commissioner Ryan.

Speaker: Yes, thanks. First of all, thank you. Christina and phil and donnie too. And the testimony from greg. Jake granger was really wonderful. Thank you for coming. Jake. I've heard your voice from other small business owners. So you were representing, I think, a lot of voices out there in the community. Could you go back to that robbery slide? I don't know if I looked at it right, or the crime statistics.

Speaker: Three. Yeah, we'll pull it up.

Speaker: And all of that was half a year data in this year.

Speaker: No. So that slide was depicted from data that was obtained between 2016 and June of 2023.

Speaker: Right. That one you went there there it is. All right. So the first one it says half year in 2023. Yes. Because it was only collected through June of 2023.

Speaker: What's that. It was only collected through June of 2023. So that's why it says half year because it was just half of 2023.

Speaker: So that's why robbery is most concerning. Because if that's just half a year and yet it's higher than the total years previous. Correct. So it's just a

fascinating trend that I'm sure law enforcement is well aware of. Some of them are here in the audience. So in the other areas, destruction of property is going somewhat down. But robbery has gone up. And that's another thing I've heard from people in small businesses. So I'm glad that we're just highlighting that big concern. How many small business owners are on the current committee that you speak of? What's the percentage? I was going to ask that even before Jake came to testify on the current committee.

Speaker: I'm not sure the exact percentage. I know we've got a couple small business owners that are coming to mind right off, off the top. And how many are on the committee? Got 11 people.

Speaker: So they represent a small percentage.

Speaker: Yes. I started out as 14, but we're currently at 11. I think my feedback would be that's odd that they're not a higher percentage.

Speaker: I think when you have a higher percentage of people who are actually receiving the grants, that's that's always a checks and balance concern of mine. In general, when you have people there that are receiving the funds, it just lacks that type of accountability. And they're there because we want to build a robust micro economy that's taken off and so I just want to make sure that I lifted that. And I hope that we see a trend that starts to add more of them to that committee.

Speaker: Currently, there are no cannabis businesses that are receiving grants in fiscal year 2122 and 2223. We had cannabis emergency relief funds, but we have not been allocated those funds ever since.

Speaker: Well, they're paying the tax and that's one of their biggest complaints because they're taxed more than someone that owns a similar business in other parts of the state. So they're like all of our businesses there. They complain they're overtaxed and they receive less services. And every resident that's listening as well.

So they're they're upset about that. So I think they'd like more voice at the table irregardless. That's that's what I'm trying to get at.

Speaker: So any any non-profits that are receiving any cannabis tax recreation fund is through prosper Portland.

Speaker: Who gets the money from this. Correct. Okay. I think we'll have to just have a good conversation about how to rethink some of these investments because it's a strong voice and I'm sure as we move forward, they'll be lobbying you even further. I don't think the person who testified is a lone voice. I think it's a very common voice out there. Yes. All right. Thanks.

Speaker: Thank you, commissioner gonzales. I'm just going to build off that last question.

Speaker: So the nonprofits that are receiving funds that he was alluding to are coming through, getting it via prosper Portland. But that's the product of cannabis tax dollars that are going getting allocated to prosper. Yes. So if it's okay, sarah morris, are you available for a follow up question on this and the question just to preview it, is the current allocation of cannabis tax revenue in our in our existing budget and I'm looking at 607 145, which is what our code says, how this is going to be distributed. It's got three buckets drug and alcohol education. And treatment programs, public safety and support for neighborhood small businesses. That's what our code says in terms of the distribution of yeah, go ahead.

Speaker: So thanks, commissioner gonzales, sarah morrissey, for the record. So for 20, 24, 25, we had a cannabis funds being allocated to four different buckets. So we had transportation. So that was vision zero traffic safety. That was 1.3 million. We had housing for drug alcohol treatment. That was 263,000. Portland fire and rescue for psr. That was 564,000. And then prosper Portland, which has multiple programs, including the grant programs that were spoken about earlier, 4.4 million.

Speaker: What was it say? That 1.8.

Speaker: So it was 4,421,129 that went to prosper, correct?

Speaker: Okay. You know, I think at some point we need to take a look at what code says and how we're allocating these dollars. What was the original intent versus what's actually happening? I'm glad that psr got dollars. But when you look at public safety, the buckets that are mentioned there, they're pretty specific. Firefighters and paramedics, police duty and, you know, training and enforcement. And I'm not seeing those dollars flow that way. And it seems like that's been going on for a while. So it's and the third bucket support for neighborhood and small businesses. I think maybe that was the original intent of sending things to prosper. And that's how it would flow out. But I don't see nonprofits specifically listed there. So I'm, you know, I guess I'm just observing that our code and our budgeting practices may not be aligned in this area received.

Speaker: And we'll make sure to coordinate with the budget office on discussing this for the future fiscal as well.

Speaker: I guess the only other area follow up, so safe consumption spots is somewhere we're calling this. We're talking about permitting and socialize consent. What was the term you're using for social consumption or social consumption. So we're we're thinking amsterdam cafes.

Speaker: That's one model.

Speaker: Is there is there an alternative model you're thinking of in this report they were calling for permitting of events.

Speaker: Okay. You know, you have like an area at an outdoor event where there's alcohol sales and consumption. Committee members feel that there should also be a place for cannabis users to safely consume much in the same way as alcohol

users have a, you know, roped off area where they buy products and consume. That's the idea behind that. That recommendation.

Speaker: So I think this is a conversation for another day. I think it's an interesting idea. I think I will say, you know, we as a community have heavily regulated the smoking of cigarettes in shared social spaces. And to take a different tack with cannabis, I'd want to just really think about that a little bit, especially in public events where, you know, some people may choose to engage in that. Other people don't want to breathe it. You know, they have their kids there. They certainly do. So that's a it has an externality that's different than alcohol, that I just want to be very clear about, you know, and it's a it's a raw time in the city's history on, on this type of experimentation after the failures of measure 110. And it's, it's I want to acknowledge that rawness, but also recognize that there may be a way to do this in a responsible way. And so i, so i, I'm just speaking as one voice up here. I think it's a, it's for another day or are we doing this now. I just am mostly I just wanted to put that on the record. I'm going to vote to accept the report. I, I appreciate the dialog on it, but i, i, I just want to acknowledge that reality that it is a raw time for our community on on innovation in this type of area. And but yet I've seen other parts of the world do it responsibly. And so I just I'm acknowledging those two dynamics and I think I'm done at this point.

Speaker: Thank you. Do we have public testimony?

Speaker: No. We did it already.

Speaker: Mr. Gonzales, do you want to make a motion?

Speaker: I so move gonzales moves the report.

Speaker: Can I get a second?

Speaker: Second?

Speaker: Ryan seconds any further discussion? Seeing none. Please call the roll.

Speaker: Mapps, I want to thank the committee for this report. Really appreciate the dialog with staff. I think it's particularly important that the city follow up with the safety elements in this report. I share some of commissioner Gonzalez's reservations around the social consumption recommendations, but glad to have these ideas on the table. I vote yea. Rubio.

Speaker: I'd like to thank the oversight team and the subcommittee for the report and all their work.

Speaker: I'll be interested in following next steps and see how we can stabilize the industry. I vote yea Ryan.

Speaker: Yeah, thanks again. Christina. Phil and don for the presentation and actually for waking us up on the bigger ecosystem here. It looks like we'll have some robust conversations. I totally wanted to do some rebuttal to my colleague to the right. I just will say this. This has been our number one cash crop for decades. As somebody that likes revenue, I've always thought it was good to lean into this and figure out how to keep being sensible as we move forward. I think that what you brought today in this report was honest and true, and I'm glad that we also had some nuanced dialog around this. So thank you so much. I look forward to more robust conversations as we move forward.

Speaker: I vote yea gonzales, did you just call me your colleague to the right? Yeah, you are I vote yea Wheeler I also vote I the report is accepted.

Speaker: Thanks, everybody. We're going to move item 864 next 864 is an emergency ordinance.

Speaker: 864864.

Speaker: Pay settlement of christina and jason norris bodily injury lawsuit for \$500,000 involving the Portland police bureau.

Speaker: This ordinance settles a bodily injury lawsuit brought by christina and jason norris, resulting from an encounter with one of the Portland police bureau's k-9 dogs. Good morning. Jonas, are you starting on this? Yes, ma'am. Okay.

Speaker: Thank you. Good morning. Mayor, council. Jonas, the dca deputy city administrator of budget and finance and the city's chief financial officer, christina and jason norris, through attorneys gloria treanor and kristen mccall, have filed a lawsuit against the city for injuries resulting from an encounter with a Portland police k9 dog on March 12th, 2021. The city attorney's office, risk management services and the Portland police bureau recommend that the lawsuit be compromised for the total sum of \$500,000. Mike porter and caroline turco with the city attorney's office will tell you a little bit more about the settlement.

Speaker: I'll just defer to the chief. Just briefly.

Speaker: Good morning, mayor council. I've sat here many times and spoken highly and appreciative of the good work of the police bureau was also important for me to be here to accept responsibility for when we fall short and that's what we're going to do, this, this, this morning. So I've asked city attorney, deputy city attorney mike porter to make a few comments. Acting captain foxworth is going to outline where we've been since 21 and the steps we've taken to hopefully prevent anything like this in the future. And then i'll have some closing remarks. So, mike, thank you, chief, and thank you, deputy city administrator.

Speaker: Good morning, michael porter with the city attorney's office with my colleague caroline turco here today to present a proposed settlement of the matter involving the Portland police bureau's canine unit.

Speaker: This case involves an off duty police, Portland police, canine, siggy, who escaped from a yard and hand of his handler by chewing through a wooden fence and accessing an adjacent, unfenced yard.

Speaker: Unfortunately, while he attacked a couple who were walking their puppy, both individuals sustained injuries and required medical attention. While this incident is deeply regrettable and the proposed settlement appropriate, it is important to note that sig had faithfully served the Portland police bureau for nearly seven years without any prior behavioral concerns or indications that such an event could occur. Immediately following the incident, the city took swift and decisive action. He was retired from the Portland police bureau and rehomed to specialized facility in texas that rehabilitates and houses working dogs like sig. Additionally, the Portland police bureau reviewed and updated its policies regarding the housing and management of police dogs. These updates included mandatory annual inspections of all handlers yards to ensure their integrity, as well as a police policy requiring that police canines must be kenneled on a leash or under the direct supervision of their handler whenever they are outside of the kennel. These measures aim to prevent similar incidents in the future. The handler who retired in the fall of 2023, was a highly experienced canine handler who served with distinction for many years, eventually retiring as a sergeant of the k9 unit over the course of his career. He has five different police canines in the same yard without incident. He was both surprised and saddened by this unfortunate event, and deeply regrets that it occurred. This explanation is offered as not as an excuse, but as context for the handler's experience. The unexpected nature of the incident, and an affirmation of his regret for the pain caused the norrises. We believe that the proposed settlement is appropriate given the circumstances. We respectfully ask the council to authorize a settlement which reflects the city's commitment to accountability and public safety. Thank you for your time. Thank you.

Speaker: Good morning, mayor and city commissioners again. My name is derek foxworth, currently serving as the acting captain for the specialized resources

division, one of the teams I do get to lead is the canine unit, and I'd like to start today by offering a sincere apology on behalf of our unit and on behalf of the organization, that this incident happened to the norries. It was regretful and should not have happened to that. I want to talk about a couple of things about specifically the mission and why do we have canines to begin with separate from this incident, which I don't think reflects the good work that the canine unit does? Primarily, it's used as a locating tool. The canine unit supports our patrol officers, our investigations, looking for wanted persons and items of evidence. Many times the canines are used as a de-escalation resource, which I'll talk about shortly to go. Specifically, one of the things when I took over the unit back in 2022 was to look at this incident and to say, what, if anything, are we doing differently to learn from these mistakes? And that's part of our organization ethos. That's part of the unit's ethos is to not shirk responsibility, to own our mistakes and learn from them. So one of the things we obviously want to look at was the home care of the canines and how we were securing them at canine handlers residence, the residents that our handlers have can look different. You might have someone that looks, lives on acreage property. You might have someone that lives in a residential property. So we wanted to look at overlapping areas of safety and security for the canine itself to ensure we're using humane treatment and then to prevent the animal from escaping. So starting with kind of a typical, you know, residential home, we require a six foot fence. But if you've got a two foot flower bed next to your six foot fence, you don't have a secure, secure facility there with that yard. One of the other things we wanted to ensure is the kennel that as we move forward, there's basically three places that the canine will stay, either in the lock kennel or under the positive control of the canine handler. And that positive control is eyes on on leash or the ability to immediately recall the dog. If a canine handler is going to be absent from

their residence for any period of time over 24 hours, they are to pass that dog off either to another handler or one of our vendors that we use for kenneling. In addition, again, so kind of just those three individual spots. One of the additional things that we took on in recent months was adding gps trackers to our canines. So if for some reason these overlapping layers of security failed, we have real time location, ability with also a proximity alert to immediately notify the handler that the canine has left the immediate area that they're supposed to be in. In addition, we have gone through a audit by the office of the inspector general, which included a outside subject matter expert, to come take a deep dive into our practices, our trainings, our protocols and our sops. We've just received that information in the last couple of weeks, and we're taking a dive into that and will be most likely accepting most of those recommendations in addition, I just want to touch on what it looks like kind of in the day of a canine handler. There's about 630 applications of the canine in a given year, and that's just don't freak out. That's just boots on their paws on the ground. So that might be looking for a piece of evidence that might be locating a subject. That's the total deployments that we see utilizing our canines in a given year. And out of those applications, only about 92% will ever end in a force event. So our force numbers are relatively extremely low. When you look at the total applications. Again, that's just to kind of highlight and balance again, this significant event that did happen. We want to recognize it. We want to share with you all as well as the community that we did not take this incident lightly. We took immediate steps to mitigate these actions from happening again and again. Wanted to get outside of just our unit and bring in some additional insight. Again, from behalf of the canine unit, the Portland police bureau. We regret this incident happened.

Speaker: Great. Thank you. And I'd like to add my \$0.02 here, as well as the police commissioner. I also want to state for the record that this event absolutely should not have happened. And I also want to express my sincere apology to the norrises the injuries they received were significant and frankly, we should be grateful that they were willing to settle this. And I appreciate you, lieutenant chief. I appreciate you for taking steps to ensure that doesn't happen again. Again, this is an outlier event. I've looked back into the history of the canine unit. It has served with distinction. Colleagues. We've even had canines killed in the line of duty here with the Portland police bureau. And the trainers have been exceptional over the years, but that does not in any way. Serve as an excuse for what happened here. We missed the mark. We made a mistake. And I'm glad that we're apologizing. We're owning up to it and we're taking the steps necessary to be able to ensure that it doesn't happen again. And so and I appreciate the perspective that you're bringing today.

Speaker: Thank you. Mayor, I affirm all of that. I want to clarify one of derek's comments. The it's 9,092% of the applications do not result in force. So about 8% total incidents and that's not just forced by the canine, if I understand correctly, derek. But by any of the officers on scene. So it is a de-escalation technique tool that we can use that sometimes is seen is not seen that way. But we rely upon it to be able to bring about compliance with lower level of force. And I just want to thank council for their participation. I want to thank the city attorney's office. This, as we mentioned, happened in 2021. The good work of all the people involved, including the norrises, and they're willing to engage in conversation with us and try and come with a resolution. I couldn't agree more, mayor, that you know, this is not meant to be adequate in any way. It's certainly a lot of trauma and reason for reflection here. I'm proud of the police bureau as a learning organization. And, you know, we're not

just committed to our efforts around this program. We are constantly evaluating all of our programs going forward. And that's my commitment to you and to the council that we will continue to be engaged and demonstrate that responsiveness to not just community concerns, but really doing our best to make sure that we're providing the highest level of service all times, on or off duty to the city.

Speaker: Thank you. Chief, did you have anything else you wanted to add, or is this just in case we have questions? Yes, mayor. Colleagues, any questions? Any public testimony?

Speaker: We have one person signed up. Dan handelman, thank you.

Speaker: Welcome, dan.

Speaker: Good morning. Can you hear me?

Speaker: Okay. Loud and clear.

Speaker: Okay, so, mayor Wheeler and commissioner Gonzalez, Mapps, Ryan and Rubio, I'm dan handelman. I use he him pronouns. I'm a member of the group Portland copwatch. Forgive me. I have to ad lib a little bit for my testimony because you did answer some of the things we raised in our written testimony that we were planning to read. But you know, we're not here to object to the settlement of \$500,000 for the norris. As you heard already, the news reports indicated the canine sigi, a german shepherd, escaped from sergeant jeffrey dorn's yard. The dog first attacked mrs. Norris, biting her arm and dragging her to the ground. When mr. Norris tried to intervene, the dog bit him on the leg and attempted to drag him. So this incident does raise questions about policy issues, and I'm very glad there's been an example today about how you can discuss the underlying policy issues when there's a settlement made, but it also raises questions. Was there any kind of disciplinary action for sergeant dorn? I just heard that he's retired at the end of last year, so I don't know if that means that he's going to still have an investigation

done. On whether he violated any policies. It's also occurred to us that officer dorn was the one who was the handler of mic. That was shot that the mayor referred to, and he also was shot in that same incident. And he might have had trauma that was undetected. It's also not clear how the bureau can hold the dog accountable. Certainly you couldn't interview ziggy, but now I heard that ziggy has been retired to texas, so I'm glad that she's having a good life and not wasn't killed, but also is no longer going to be attacking people. We've raised objections before about police using animals to engage in violence against humans. It was a relief when the police horses who had trampled people at protests for years, were literally put out to pasture. It's an unnatural thing for horses to have officers sit on top of them with many pounds of weapons on their backs and then walking on pavement. We hope that the ppb will examine whether it's appropriate to teach dogs to attack people. I mean, it's one thing to track them or track drugs. There's another thing to have them bite people and drag them to the ground. It's also incumbent upon the risk management and the city attorney to publish their tables, to determine how much to pay for losses that are caused by the bureau. The family of copenhagen henriksen, for instance, only received \$100,000 settlement for the loss of their loved one in January of this year. We're not objecting to the money being given to the norris for the harm done to them. We're just wondering why the city engages in moral relativism when doling out taxpayer dollars for damages. The city is outrageous decision on September 4th to appeal the jury's \$1 million award to the family of michael townsend, who was also shot and killed while in mental health crisis, is another example. The majority of council thought it was important to get a court ruling about when state law allows police to kill someone. It was stated that information will help to avoid making future payments just over a month later, the Portland police have shot and wounded one man and killed another, bringing their

deadly force to three incidents in six weeks, as many as they shot in the first half of the year. In summary, we hope you will continue to discuss the issues of accountability for officers whose actions lead to lawsuits. This aspect of the us doj agreement just started getting attention a year ago. 11 years into the process. Even then, the compliance officer only reported on the total and average amounts paid out without looking at policy implications, the independent monitor should be looking at these cases and hopefully we'll ask them the same questions we asked here today. Thank you. All right.

Speaker: Thank you dan. Colleagues, any further questions please call the roll.

Speaker: Mapps | Rubio | Ryan | gonzales | Wheeler | the ordinance is adopted thank you appreciate it okay next item please a proclamation 844. Proclaim October 15th, 2024 to be white cane awareness day.

Speaker: Colleagues. This was brought by commissioner Rubio. She unfortunately had to leave, but she's passed along her talking points. First. I would like to welcome our guests today, lisa strader from pbot, darian slayton fleming and mary lee turner, who are co-chairs of the pedestrian safety action committee, who will be presenting to us about white cane awareness day. The commissioner is proud to co-sponsor this proclamation. As a result of the powerful impact it symbolizes about experiences and the needs of community members who are experiencing low blindness, as well as low vision white cane awareness day marks an important occasion for individuals, organizations, and communities to come together to raise awareness and advocate for the rights of people with visual disabilities. Recognizing and participating in white cane awareness day allows all of us to better understand and support the rights of individuals and the importance of their independence. It's also a good time for all of us to reflect on our personal responsibility to ensure that we're creating that atmosphere and culture, and not just access, but thinking about

inclusion, respect and dignity for those with visual disabilities. It's incumbent upon us in our roles to do what we can to ensure accessible accommodations for all residents with all abilities, and it should be top of mind for our decisions every day, not only on one day per year. So thanks to all of our presenters and all advocates for your work to educate us today, educate our broader community and for your advocacy, and for holding us accountable to our own responsibilities. And those are the words of commissioner Rubio, and I'm not sure who is here to present.

Speaker: Good morning. This is Lisa Strader. I hi, I am the Portland bureau of transportation's ADA coordinator. I use she her pronouns. I'm a middle aged white woman with shoulder length blond hair. I am privileged to be here today with Mary Lee and Darian. I'm going to start with a brief powerpoint presentation to give you some of the main concerns and some important actions that we think can benefit active transportation, especially for blind and low vision community members. And then I will turn it over to the co-chairs of the pedestrian safety action coalition. So hopefully you're seeing my screen. I think we all say that every time. Right? Here is my, my and I will be describing my slides for people who are in the meeting that can't otherwise see them. This is my title slide on the left. I have a photo of Mary Lee happens to be in this picture. Two other white cane users, Abby and David Pbot, did a photo shoot a couple of years ago about white cane safety and we're still benefiting from the use of those photos. This image is of a both a white cane user and a guide dog user. This is called white cane safety day, but guide dogs are just as important and often can experience some of the same challenges. So this as commissioner Rubio mentioned, is a message of making everyday white cane safety day. This is an image that ODOT created and is allowing us to share. Just to give you a perspective in Oregon from the CDC, we have about 980,000 adults that identify as having a disability. This is equal to about 21%, 28% of all adults in

Oregon are almost 1 in 4. A little over 1 in 4. More pertinent to Portland, the office of equity and human rights last year issued a survey to people with disabilities, and of the 3800 respondents, 20% of them identified that they experience a vision disability. And on my slide is an image of the cover of that report. So, as we all know, we're here proclaiming white cane safety day. And I mentioned already that we are also talking about guide dog users, the pedestrian safety action coalition that mary lee and darian chair. It promotes transportation safety for white cane and guide dog users. They are here today. The picture on this slide is from Sunday parkways in late September we had a white cane safety booth. Mary lee is in the photo here. We had material to share and included glasses that visitors could try on to give them a perspective of different types of vision loss. It was a really successful day. We had a couple quick walks around the park as well, so some of the things that we think would be really helpful is continuing to educate drivers about white cane safety. The pedestrian safety for anyone is dependent on both the drivers and the pedestrians, and we want to move to zero injuries and fatalities. We all need to be aware and alert. The photo here is from white cane safety walk last year. In 2023, we participated with the city of beaverton and other organizations and had a great walk on a day that was just a little bit drizzly, not too bad. So many people don't understand what a white cane means, so again, the importance of white cane safety day raise awareness in a big way. On one day, mary lee and mary may share some of their stories. I've heard from many community members about having been hit by both cars and bikes. And just to reinforce the message one more time, a designated day is really important to raise that awareness in a big way. But it's really obviously the other 364 days a year is equally as important. Another image here is darien and mary lee, both behind the table. This was another Portland Sunday parkways a couple years ago. Again, a white cane safety booth that we

staffed and got to talk to a lot of community members that were at the event and share information. The city of Portland often collaborates on a white cane safety day event, literally on an October 15th event or near that. This year, Portland international airport pdx is doing an event. So next Tuesday, the airport has an indoor navigation system called good maps that they're going to highlight for people. They also have arias visual assistance service. They're going to talk about all the other accessibility resources at the airport, like the sunflower lanyards for people with invisible disabilities, the sensory rooms, adult changing tables. And then there will be representatives from various blindness organizations and advocacy groups. So my picture here is from the Portland airport. It's a white cane user. And one of the good maps ambassadors testing that system out in the terminal. And with that, I would love to just again recognize our partners in odot for the image that's on this slide. We've got a black man using a white cane and saying, look for me like you look for other cars and make everyday white cane safety day. Thanks so much for having us here today. And I think, darian, you were going to go next.

Speaker: Thank you. Does that conclude your presentation?

Speaker: It concludes the presentation. Both darian and mary lee were going to make comments. So I was going to go first. And you're unmuted darian. There we go. Darian. Should we maybe have mary lee go first. Mary lee, do you want to unmute and go and present?

Speaker: So you want me to go now?

Speaker: Yes, that'd be great. Thanks.

Speaker: It is absolutely my pleasure to come here today. And to share with you, all of you there. I don't know who all is in the audience, but it's great to be here with you guys, with you people, commissioners and i. People often say to me, why do

you keep doing this? You know, haven't you done this enough? And the answer seems to be, no, I am a native Oregonian born here in Portland. I am now 77, have lived with sight loss. All of my life, and also have a hearing loss. So I wear hearing aids and I am for many years worked as a rehabilitation teacher with with folks who are who are new to sight loss, both in I've worked in florida, new jersey and for the longest period of time with the Oregon commission for the blind. And I have literally been in the homes of hundreds of people who, as they have lived their lives on the list of things they wanted to experience blindness was never on their list of chosen activities. However, that's what that's what is becoming true. For more and more individuals. Because of the you know, the longer we live, unfortunately, the greater the chance that you may experience sight loss and so the what brings me here today is even though I am certainly an expert in traveling with the use of my white cane and have done it for many, many years, my white cane doesn't protect me from drivers who are not paying attention or otherwise occupied with their cell phones, or fighting with the kids in the back seat, or drinking their big gulps or whatever it is. And it was 13 years ago that I was struck by a driver. She was the granddaughter of my neighbor, and she had just gotten her learner's permit. And I was I was walking down the street minding my own business. It was a beautiful day. It was in September of 2011, using all my skills, you know, just doing what I needed to do to get where I was going. And so this young woman got in the car and said, okay, granny, let's go and she stepped on it backwards. You know, backing out of her driveway struck me, threw me into the street, and luckily she managed to stop before she ran over me. Now that was what did I say? 13 years ago. And to this day before I leave home, I go through a period of anxiety that I have to walk myself through in my home and just, you know, gear myself up because every time I step off a curb, I become fodder for people that are are operating motor vehicles or

bicycles or even skateboards. And, you know, no matter how good a traveler I am, that's not enough. It's so important to have drivers know, understand and obey the drivers. The laws that protect pedestrians, that they stop when they are supposed to because the only rights that pedestrians are guaranteed.

Speaker: What would you like to say to lisa are the lisa.

Speaker: My mic might have been muted. I will need to have you tell me if.

Speaker: I think that's lisa.

Speaker: Do you want me to keep going?

Speaker: Yes, please. I don't know. Okay.

Speaker: Were you were you able to hear me?

Speaker: Yes. Okay.

Speaker: Yeah. We do.

Speaker: So I am. Privileged to be able to work use my community organizing skills that I've developed over the years to work with with darian and also with lisa strader to facilitate this ad hoc statewide committee. Our goal is to is to for Oregonians experiencing sight loss, to know that they have a snowball's chance of getting to travel safely in their community, no matter where they live. And you know, even though I'm I'm older and my sight is diminishing and my hearing loss is increasing, I'm just not quitting. So I know that some of you have seen me before and heard me before, and I'm not quitting. So I really hope that today you will take home from our sharing that white cane safety is critical, not just on. October 15th, which was the date that it was declared the first national white cane safety day by president johnson 60 years ago. You know, we it's really not it doesn't cover what we need, not just on this one day, but every day and every night. And, you know, we have programs here in Oregon. The commission for the blind and other places to train people who are willing to for skills to be able to travel with safety, efficiency,

dignity and fun with their white canes, guide dogs or human guides to be able to travel in their community and get to do what they want to do, need to do, have to do, would like to do or sometimes really don't want to do but have to do anyway. So you know I am. That's why I'm here today. And if there's any way that I can be a resource in addition to today, I lay bets that you can find me. Okay. So it's absolutely my pleasure to be here. And I'm not quitting, although I sure would like to. So thank you for your attention and your time today. Thank you. Thank you.

Speaker: We appreciate it very much.

Speaker: This is lisa. Darien was trying to say something and I don't know if maybe the clerk can unmute her. There you go, darien. You're unmuted.

Speaker: Okay. Can you hear me? This time?

Speaker: Yes we can.

Speaker: Awesome. Okay, I co-chair the pedestrian safety action coalition with mary lee, and we are so privileged to have a wonderful working relationship with pbob and odot and specifically, lisa is amazingly supportive. I want you to know that I was hit by a car in August 2005, crossing 102nd at pacific by the gateway. Fred meyer. That accident caused me to have broken bones, be in the hospital for three weeks and three months in a care facility where I then developed a staph infection and had other complications. That accident also kept me out of work for six months, causing hardship for my employer, who was very supportive, and it postponed my wedding for a year. I want to point out that it was mentioned earlier that people don't often know what it means when they see a white cane. They also don't know what it means when they see a dog with a harness. Being handled by a person who is blind. My late husband at the gym one day was asked by a man, where did you get that cool? I don't know what he called it, but it was the harness. I want one of those. I'm sure my husband said something like, I don't really think you

want one of those because I don't think you want to need one of those. You're very lucky to be cited. The gentleman that hit me with his car was it was an SUV, went on, not only hit me, but before me. He he hit someone crossing the street who was cited. And when he gave his deposition, when we gave our depositions, he said, oh, I just bumped him. But he knocked him down after he hit me, I happened to find out that he went on to get a change his name a little bit and get insurance in Washington. And he hit hit a car with a couple traveling and caused her to have a detached retina. So white cane safety awareness guide, dog safety awareness drivers need to know what they're seeing, and they need to know the law. There's very little, to my knowledge, covered in the driver's written exam to establish that they people know what the law means and what they're seeing, and so again, I just want to emphasize that white cane safety is really people safety. 24 over seven all year long. So we appreciate your hearing our testimony, and I want to thank you.

Speaker: Thank you all for the presentation. We appreciate it. And now we have some council comments. Commissioner Mapps.

Speaker: Sure. I just want to take a moment to thank Lisa, Mary Lee and Darian for joining us today. Excuse me. I also want to say this, I am honored to join this council and proclaiming October 15th, 2024 to be white cane awareness day. Now, as we've learned, the purpose of this day is to recognize and celebrate the achievements of individuals who are blind or visually impaired. Today, we must also recommit ourselves to ensuring full integration, equality, education and economic opportunities for those living with visual impairments. White cane day has been recognized in the United States since 1964, when President Lyndon Baines Johnson proclaimed October 15th to be white cane safety day. Now, it's important to notice that the declaration occurred during the same era as monumental civil rights legislation like the Civil Rights Act of 1964 and the Voting Rights Act of 1965. White

cane day, in other words, is part of the ongoing civil rights movement, one that began 60 years ago and continues to this day with the goal of achieving equal rights and opportunities for all. In the 60 years since the first white cane safety day, individuals who are blind or have low vision have made remarkable progress. They have become leaders in government, business, academia and the arts. However, while progress has been made, there is still much work to be done. Even here in Portland. We must ensure full and equal access to education and employment for all people with disabilities. Our city has a responsibility to continue striving towards a more just, equitable and inclusive future, and that's why we must dedicate ourselves to expanding economic opportunity and liberty for Portlanders with visible with visual disabilities. Now, before I close, I want to thank the many city staff members who work tirelessly to support and advocate for our community members with disability. So in conclusion, with this proclamation, Portland reaffirms its commitment to creating access to education, employment and full participation for Portlanders with disabilities, and I'm glad to encourage all public officials, all community leaders, educators, and Portlanders to observe white cane awareness day with activities and programs that advance these goals. Thank you very much, mr. Mayor.

Speaker: Thank you, commissioner Mapps. Commissioner Ryan, thank you, mayor, and thank you, lisa.

Speaker: Mary lee and darian for your presentation today, white cane day. We honor your resilience, your independence, and the contributions of the blind and visually impaired community members. I grew up with two cousins who are legally blind, and that childhood experience was very helpful. And on another matter, I just want to acknowledge your constituency really allowed me to have a deeper concern about our complex humanitarian crisis on our streets is extremely dangerous. For

those of you who are visually impaired, and too many of our public right of ways are blocked for pedestrians because of camping and sometimes some very dangerous illegal activity. So compassion has been seeing you in this complexity, and your pedestrian safety is top of mind. Thank you for today's presentation for reminding us we all share the streets and all public right of ways with those who need us to follow basic laws. White cane awareness day is important every day of the year.

Speaker: Thank you commissioner gonzales.

Speaker: I want to thank the presenters for their work in spreading awareness about the white cane and guide dogs as symbols of independence. Portland should be a welcoming, inclusionary place for all, but it requires a constant. It requires constant work and sometimes reminders and accountability. When we fall short, our city is seeing far too many traffic fatalities and obstructed right of ways. And this is disproportionately distressing to those visually impaired. We must not forget this community and how they are uniquely impacted by our challenges. In our right of ways. Thank you for your advocacy today and for all you do in making partners with blindness or low visibility vision, feel part of a community that is supported. Thank you.

Speaker: Thank you, commissioner gonzales and colleagues. With that, I will read the proclamation. Whereas blindness or low vision affects individuals of all ages, all income levels, all genders and all cultures and whereas there are different degrees of visual diversity, meaning somebody can be legally blind but still see colors, shapes, movement, and varying degrees of light. And whereas white canes and guide dogs are tools that people who are blind or visually diverse use to identify themselves and to navigate their environment with greater independence. And whereas white cane and guide dog users have the right to travel safely while

enjoying all the rights benefits and privileges of living, working and playing in this great city of Portland, whereas everyone should be aware that Oregon law requires that drivers stop and remain stopped until a person carrying white cane or using a guide dog has crossed the street. And whereas October 15 was designed in designated in 1964 by the us congress as a day of education and celebration of the advent of white cane and guide dogs for independent and safe travel, travel, and unfortunately, the last paragraph is not written on my talking points, so I will do my best there. Now therefore, i, ted Wheeler, mayor of the city of Portland, Oregon, the city of roses, do hereby proclaim today as white cane day in the city of Portland and encourage all residents to appreciate, join in, and support this day. Thank you everybody. With that, we will take. Thank you. We'll take a ten minute break, please. So it's 1140. We'll reconvene at 1150. We're in recess. For. We have heard a presentation. We've had public testimony. Any further business on this item? Seeing none. Please call the roll.

Speaker: Mapps a Ryan I gonzales I Wheeler i.

Speaker: The ordinance is adopted 854. Also a second reading.

Speaker: Authorize revenue bonds to finance sewer system capital improvements for an estimated principal amount not to exceed \$334 million, and to refund outstanding bonds.

Speaker: Any further discussion on this item? Seeing none, please call the roll.

Speaker: Mapps. Aye. Ryan. I. Gonzales.

Speaker: I. Wheeler.

Speaker: I. The ordinance is adopted. Keelan for the next items. Could you please. Read 855856857858859860861862. And 863. Please. Yes.

Speaker: 855. Initiate foreclosure action at 8040 south east ninth street for the collection of delinquent city liens. Police placed against the property. 856 initiate

foreclosure action at 3623 south corbett avenue for the collection of delinquent city liens placed against the property. 857 initiate foreclosure action at 11 257 northeast sandy boulevard for the collection of delinquent city liens placed against the property. 858 initiate foreclosure action at 1042 through 1048 southeast 151st avenue, for the collection of delinquent city liens placed against the property. 859 initiate foreclosure action at 2336 southeast 130th avenue for the collection of delinquent city liens placed against the property. 860 initiate foreclosure action at 6329 southeast 86th avenue for the collection of delinquent city liens placed against the property. 861 initiate foreclosure action at 1541 southwest market street for the collection of delinquent city liens placed against the property. 862 initiate foreclosure action at 6627 southeast woodstock boulevard for the collection of delinquent city liens placed against the property. 863 initiate foreclosure action at 3003 southeast 58th avenue for the collection of delinquent city liens placed against the property.

Speaker: Colleagues, I'm pulling item 863 back to my office. The owner of the property has paid off their liens and with that, i'll turn this over to dca berry to introduce the item. Welcome.

Speaker: Great. Thank you, mayor and commissioners. For the record, jonas berry, deputy city administrator of budget and finance and the city's chief financial officer. These ordinances are part of a coordinated effort by the mayor's office, the bureau of development services, now Portland, permitting and development, the revenue division and the city attorney's office to pursue remedies for vacant and distressed properties with delinquent lien payments. It begins the foreclosure proceedings on eight properties with delinquent city liens that are eligible for foreclosure in accordance with city code 5.30. The liens were placed against the properties by the bureau of development services for code enforcement violations. Various

nuisances, nuisance abatement, and or chronic offender violations. These properties have been identified as causing significant problems for neighbors and are the subject of multiple and frequent police calls and numerous enforcement activities. The revenue division works closely with permitting and development to identify properties with delinquent account balances, many of which are designated as vacant and distressed properties by the city's extremely distressed properties enforcement program. Kevin foster, foreclosure prevention manager, is with us today to take us through the items and introduce his co-presenters. Kevin. All right.

Speaker: Thank you.

Speaker: Good morning, mayor Wheeler. Commissioners. Mr. Jordan. I'll state my start with stating my name. My name is kevin foster. I'm the foreclosure prevention manager for the city of Portland. Joining me is sharon nickelberry rogers, supervisor for the budget and liens team in the revenue division. City treasurer bridget o'callahan and dan simon, our city attorney. Next slide please. Before I start my presentation, I'd like to take a minute to provide the results of the prior three rounds of foreclosure foreclosure submissions that I've made to council. 28 properties were referred to revenue for foreclosure consideration. Out of those, 28 properties, 19 were presented to council. 16 of those properties were approved for foreclosure. Ten of those properties paid off prior to the foreclosure sale, leaving six that we moved forward to foreclosure. Two of the six properties sold at our foreclosure sale for the financial results of our foreclosure sales held from October 2022 through September 2024. The sale proceeds were \$532,000. The delinquent payoffs and sale removal payoffs totaled roughly \$598,000. Funds collected between both over \$1.1 million. Next slide please. Today I will present eight vacant and distressed properties with a combined total of 29 liens. The liens on the properties are for code enforcement, code violations, or nuisance or nuisance liens.

Six of the eight properties have liens in which the violations have not been corrected, and the case is still open. The combined amount owed is 606,000. Each property will be on its own ordinance. Next slide please. This is a map of our city identifying where these properties are located. We are not targeting one area. These properties are located all throughout the city. We have 5 in 5 in southeast, one in southwest, one in south and one in northeast. Next slide please. Once the property owner has corrected the violations and the case is closed, the property owner can see if they qualify for the options listed above. These options are available to address the outstanding balance for the liens. Waivers and lien reductions are handled by permitting and development payment plan. Hardship plan and an agreement for resolution is handled by the revenue division. Next slide please. Our first property is located at 6627 southeast woodstock. There are eight liens against the property delinquent since 2004. \$52,000 owed. The property is open, is open to entry, and squatters are coming on the property and leaving behind an accumulation of trash and other debris. Recently, there was a fire at the property caused by squatters. There have been 16 police calls to the property since 2012. Next slide please. The next property is located at 1541 south southwest market street. There are two liens against the property delinquent since 2023. Roughly \$8,000 is owed. This property was a former former medical office building that has been vacant for over five years. The property is open to entry. There have been several attempts have been made to secure the building, but unlawful occupants continue to return to the property. Neighbors are complaining. Neighbors are complaining. The people on site are confrontational and argumentative. Neighbors have complained about suspected drug use going on at the property. While reviewing this case, I was reading a report from the housing inspector which indicated there had been six fires caused at the property within the

last year. There have been four police calls to the property since January. Next slide please. The next property is located at 2336 southeast 130th avenue. There's one lien against the property delinquent since 2023, and \$9,000 owed. The property had squatters on site due to the constant return of the squatters. There were metal barriers added to all doors and windows at the property. The structural members on the deck are deteriorating, and this has also created a safety hazard at the property. The property has had six police calls since 2023. Next slide please. The next property address is 1042 and 1048 southeast 151st avenue. There are five liens against the property delinquent since 2014, \$160,000 is owed. 1048 had a fire at it in 2018. The property is still in disrepair. Neighbors have been complaining about the property that the property is attracting rodents due to the excessive garbage at the house. Neighbors have also made complaints about finding drug paraphernalia and drug needles at the property. There are abandoned vehicles parked at the property and at one point there was a squatter living in the living in an rv parked at the property. There have been 134 police calls to the property since 2014. Next slide please. The next property is located at 11257 northeast sandy boulevard. There's one lien against the property. \$21,000 is owed. This property was a former car lot and auto repair business. The tenants of the property abandoned their business, leaving behind abandoned cars, rv's and boats as well as as well as accumulation of trash and other debris on site. There's constant activity, constant squatter activity at the site. In December of this last year, the property owner entered into a compliance agreement with permitting and development. He agreed to have the property cleaned up by July first. The owner has not complied. There has been 25 police calls to the property since 2023. Next slide please. The next property is located at 3623 south corbett avenue. There are seven liens against the property delinquent since 1999, and \$191,000 owed. The property has roof and

chimney damage. Entrance to the property is obstructed due to overgrown grass and vegetation that extends all the way to the sidewalk. Neighbors are worried about the potential for squatters because of the condition of the house, and it has been vacant for several years. The property owner is elderly and I have been working with her family members on a resolution. A year ago we agreed. We agreed that they would set this property up for sale. That way they could address the liens. To date, the property has not been listed. In the past, the owner has been offered a lien reduction and has been put on payment plans which have all been defaulted on. There's been one police call to the property since 2012. Next slide please. The next property is located at 840 southeast ninth street. There's one lien against the property delinquent since 20. Delinquent since 2022. And \$19,000 is owed. The property owner started building a triplex, but unfortunately ran out of funding during the pandemic. Left on the lot is an open foundation. The property is. The property is up for sale, but there's currently no offers on it. The open foundation is a safety issue. The owner has not put a fence around it to try and secure it. There have been 14 calls to this property since 2022. Next slide please. The next property is located at 6329 southeast 86th avenue. There are four liens against the property delinquent since 2014, and \$146,000 owed. There is an occupied rv parked in the back of the property. The person living in it is a friend of the property owner. There is excessive trash and debris on site at the property. The property is not hooked up to water or sewage service. This property was originally supposed to be presented back in January, a week before my presentation. I met with the property owner and we came to an agreement. They were to work on the violations, correct them, and then once they were finished, apply for the lien reduction. The property owner has not complied. The owner has not corrected the violation and the property is in the same state. It was back in January. There have been eight police calls to the

property since 2014. Five of them have been since January. Next slide please. Next week you will vote whether to move forward with foreclosure for these properties. If approved, these properties will be sold. If approved, these properties. If approved, the ordinance will direct the city treasurer to start the foreclosure sale process. Also, if approved, these property will be sold under our new ordinance and under our new redemption ordinance period, which is now 90 days. The owner can pay off the liens prior to the sale date, or if the or during the redemption period. This will conclude my presentation.

Speaker: Very good. Thank you.

Speaker: And that completes the full presentation. Yes. Keelan do we have any public testimony?

Speaker: We do. We have three people signed up. Let's hear them for item 857. We have michael harris.

Speaker: Welcome. Thank you.

Speaker: My name is michael harris.

Speaker: I'm a local attorney.

Speaker: It's my first time addressing the council, so please forgive any flubs or errors I make. Thanks for being here. Thank you sir. My office represents a penny sidwell, who is the owner of a beneficial interest in the subject property. The 111257 northeast sandy boulevard, Portland, Oregon. Property. We received a notice of the foreclosure on our office. As I prepare the trustee that originally transferred it to miss sidwell on October 4th, I believe, and then we immediately provided it to miss sidwell, who contacted me to say, what's this all about? A little bit of a background. She owned the property with her husband. Her husband sold the property to the current property owner, mr. Krom. They acted as essentially the lender. It was a seller. Carried it. Transaction. This was in 2007. Thereafter. Mr. My

client's husband passed away. The interest was transferred to her solely. The current owner of the property, Mr. Krom. Well, actually, both these folks are elderly. The Mr. Krom has been consistently making payments ever since 2007, when the property transferred. Frankly, when we got this notice of foreclosure, I contacted Miss Sidwell. Rather, she contacted me to say, what's this all about? This is the first she'd ever heard of it. She is a widower. She lives in Arizona. She relies upon this income as a retirement plan. After speaking with her, I reached out to Mr. Foster. We had a brief conversation yesterday. He informed me of the hearing today, which is where I'm coming to you today. A little bit ill prepared, but in good faith to say on behalf of my client, we would ask for more time to allow her to step in as the beneficial interest holder, to see what can be done to correct these problems. In investigating this this morning and late last night, I also determined a few things that are of interest about the property. Specifically, I noticed that Mr. Foster referred to a plan to correct some of these violations. We entered into with the city. With Mr. Krom. I noted that Mr. Krom, the owner, as I said, is an elderly gentleman. It appears between 2023 and to date, there's been no less than seven different elder abuse restraining order petitions filed that have been granted with the city. Let me retract that. A bit. Six were granted. One was denied. Although it was refiled and granted against the same original applicant or a party to be restrained. Three of those restraining orders and I have the case numbers if you'd like them, were related to this subject property. And when I reviewed the elder abuse protection act applications, they literally related to Mr. Krom saying I was going in trying to clean stuff up. And these people threatened me and chased me off. I respectfully request that you consider giving a little more time to work on this thing. It doesn't seem to me wise to try to take away what is essentially the, as far as I can tell, the sole, not sole, but important asset of these two elderly individuals and instead give us a

chance to see if we can work with the city to come up with a plan to actually remediate. I can't guarantee where this is going to go, but I would. I can guarantee you that we'll work on it in good faith to try to find a solution. Thank you. Thank you. Do you have any questions?

Speaker: Did you have a commission?

Speaker: Commissioner Mapps has a question.

Speaker: The staff have any response to the testimony that we just heard?

Speaker: I spoke with him yesterday, and the reason why I moved it forward was just because the original owner had defaulted on the prior agreement that was made.

Speaker: Well thank you. And I don't I'm not sure how this fits into the process, but colleagues, I'll say I know this property well. Many of you know, I used to be the executive director for of historic park rose, which is actually literally right across the street. My job there was to try to help improve economic development along sandy boulevard between 99th and 122nd, which includes this property. I've worked with mr. Krom many times, I think going back about 15 years. So this is not a problem that has just emerged. In the last several days, I like bill a lot. I think he's a good guy. I also think he's made some choices about how he manages his this particular property. It's a challenge for the neighborhood, I tell you. I was just in, I think park rose as recently as this weekend, and that is a great, vibrant community with a couple of particularly problematic spaces. There there are lots of reasons why some of these properties haven't been well kept, but this is a real blight that's tortured the neighborhood for a long time. I've not been on the ground on a day to day basis for a while, but i, I very much know historically there are lots of cars and rvs that are kind of stored in that space, and that tends historically to be a place where people live and conduct illicit business and whatnot. I would be very relieved to see this

particular situation resolved. And I think, frankly, unlocking this property and a couple of other properties that are adjacent to it are literally the key to revitalizing the park rose neighborhood. So that's my perspective.

Speaker: Thank you. Commissioner.

Speaker: Next.

Speaker: Commissioner Gonzalez.

Speaker: Just to clarify, if we proceed with the initial foreclosure action, nothing precludes cure. Correct. I mean, I mean, we're. Recognizing I think we're all interested in a settlement of this that can be worked out. But our foreclosure process is painfully slow. And I just want to make sure that we are allowing for the space for your client to engage on cure, but that we're also not holding up already. A lengthy process. Sure, you may respond to that.

Speaker: You're correct. I've done some foreclosures in my past as a lawyer, and there is some time. But what will happen is the costs of the foreclosure process will get added to whatever cure amount my client would need to make to pay off the lien, and that still doesn't actually address commissioner Mapps concerns about the status of the property. I can't guarantee you where my client's going to go with this. All I can guarantee is that this is catching her out of the blue. We reacted as quickly as we got this and I've worked with mr. Krom as well in the past, actually helped negotiate a resolution of a prior problem pre-pandemic. But miss sidwell, my client, who's the widow in arizona, she's blindsided by this. And we have a \$27,000. I think that's about the right number, bill. That's come due right now to prevent this foreclosure. And yes, we would have more time for her to pay it off. But I don't I can't in good conscience tell you that she has the resources or the wherewithal to do it, or that she does not. We have had zero chance to investigate this, and I appreciate mr. Foster speaking with me yesterday and giving me an idea about

where we're at. And I know I'm not trying to cast any aspersions on him in any way, shape or form. It's just it's hard to proceed with such a shortened time frame to give a realistic report back to you or to mr. Foster about what my client, who's relying upon this as a source of income, can accomplish. She very well might be able to work with mr. Crum to correct these problems. I can see from the reports, as referenced that mr. Krom appears to have tried to do so and been actively prevented by the squatters that mr. Foster and commissioner Mapps was referring to. Maybe this is unworkable, but we're really just begging the council for a little bit more time to figure out if a plan can be developed before added cost and expense gets layered on top of this.

Speaker: So in terms of the next stage, when do the new costs really start to accrue outside of interest, like so this case is still open.

Speaker: So every month there's a there's a fee added for the case being open.

Speaker: And is that what's the roughly a fee per month and how is it calculated.

Speaker: I believe it's \$785. I excuse me, mike, do you have more information related to that property?

Speaker: Sure. Mike liefeld, Portland permitting. Development monthly code enforcement fees will continue to be assessed while the violations remain uncorrected. And I believe because the length of time that fee is doubled. So it's probably around \$1,400 a month because it's a commercial violation, which is a code enforcement fee assessed as a lien against the property. The foreclosure costs would be added at the time of sale or redemption. If council votes and it moves through approved foreclosure to a sale.

Speaker: But the foreclosure cost I mean, we proceeded as you proposed. When would the foreclosure costs be assessed? Like what? In terms of, you know, roughly how many months?

Speaker: Well, the foreclosure costs continue over time. So there are personnel costs. There are title report costs. The barrister putting notices on. So it's continuing throughout the process. Once the treasurer starts.

Speaker: And I'm just trying to project out like if we were to continue down the process. But is there a way to manage those costs? And while you're creating space to negotiate a settlement? Because if we didn't proceed now, I mean, I just some of these properties, right? We get in this process and we delay it. Any step, the statutory process or it already takes a very long time. And I that's just my I'm just wondering if there's a way to give space. There's client to sort something out here but ultimately not hold up the process. If we're not able to find a resolution.

Speaker: Commissioner, I can tell you that I think that this is going to be we're going to know what we can do on our side as the beneficial interest holder fairly quickly. I would say 30 to 60 days max before we'd have any idea of a plan. And I'm trying to put it out there because I'd rather overperform than underperform on that. As far as the costs, having done foreclosures in my past, I know that when I'm doing a private sale foreclosure, I can start adding attorney's fees the second I send the notice of foreclosure out. As far as what is part of the cure for the redemption of the property, and then the title reports. Also, it would, in my experience as a private attorney, we get a title insurance guarantee. That's another expense to the city. All these things to make sure that you're properly foreclosing your lien out. And obviously that some of that has been done since I got the notice of foreclosure. But that's where we're at.

Speaker: I'm just trying to quantify what are the incremental foreclosure costs that are going to occur in the next 60 days, and whether you can manage those costs without holding up your process well, right now, as mike has stated, because the

case is still open, those costs will still totally get those. Yeah, I get the I mean, that's that's but just the actual for what I would characterize as foreclosure costs.

Speaker: Again, just the treasurer's costs for mailing out notices and that sort of thing.

Speaker: But can they delay that part for 60 days?

Speaker: I would refer that to the attorney.

Speaker: Hi there.

Speaker: Commissioner Gonzalez mayor Wheeler, city commissioners, this is dan simon for the city attorney's office. So the Portland city code defines the sales costs as all costs, direct and indirect, associated with the foreclosure sale by the city, including but not limited to county recording fees, title reports, or other means of identifying persons with interest in the property, title, insurance service and notification, publication and advertising.

Speaker: Hosting, sale and staff salaries, including benefits and overhead. So those are the costs that would be incurred and would be added to the ultimate sales price.

Speaker: The opening bid. So in terms of what costs could potentially be delayed there, I think I would have to defer that question. Unfortunately, to the city accountants. But just to give the council an idea of what would be included in those sales costs, that is what is provided for in our code.

Speaker: Is there someone that then can answer the question as to what costs can be managed?

Speaker: Yes. Hello, this is bridget o'callahan, the city treasurer.

Speaker: For the for the record, of course, city treasurer. I'm responsible for conducting the sale. Once council has added the property to our foreclosure list. Generally speaking, our foreclosure process encompasses approximately 90 days.

So there is a 60 day notice period for which we will record the notice of foreclosure sale at the county. There are fees associated with that. And so that's the process that starts our our foreclosure sale. And that would occur, as I said, approximately 60 days before the sale. So at this point, if we were to add this particular property to the list today, by the time we get all of our paperwork ready to go to actually record that notice, that would probably be occurring in a November time frame. So we have at least 30 days right now before any additional costs would likely be generated. So there's a little window of time. And I believe the representative from the property indicated that, you know, within 30 days they should have some guidance as to what's possible. So even if you add it to the foreclosure list today, we have roughly a 30 day time period where it's not going to be incurring additional foreclosure costs. It may as referenced earlier, it would be incurring additional costs associated with the liens themselves. After that time, go ahead. No, no, that's very helpful.

Speaker: Please continue after that time.

Speaker: Once we record the notice of foreclosure sale, that's when the additional expenses truly start kicking in. You know, as referenced earlier, there are title report costs that could come in shortly before that. That time frame, but likely in a November time frame. And then additional fees for barrister services public. You know, publication and newspapers, that sort of thing. Got it.

Speaker: Did you have a comment? And i'll turn it over to commissioner matt.

Speaker: I would just respectfully suggest that everything they're talking about is going to get poured into the cost of redemption. We're talking a lot about the cost of foreclosure. The cost of redemption is what my client would need to pay to stop y'all from proceeding with the foreclosure process, which I know that sounds confrontational. I don't mean to be. I'm just saying that this is what we're trying to

get our arms around is to keep everything down. So this widower can maybe assess, can I keep this asset, or do I need to let this asset go? I have no clear answer. I did say 30 to 60 days, and I was trying to be optimistic. But with respect, I'm coming here with about 24 hours notice of any of this happening. Even less. Well, that's what I'm dealing with. So I'm asking for a little more time just to work with the city and see what can be accomplished. And if the answer is nothing, I will let mr. Foster know immediately that my client has to let this go.

Speaker: Well, again, i'll turn to commissioner Mapps. I think the my intent here is to give space for you guys to dialog, but ultimately not you know, unwinding the process or because these and I'm saying now for the third time these processes take a really long time. And the impacts on neighborhoods get really painful.

Speaker: I, I can speak to that. I know that once the process, once the process has started, the foreclosing party does have time to extend the timelines. Everything gets added into the redemption cost, and I suppose the council could accept a lesser cure amount to pay off the redemption rights if that's what's going to happen. But it's not like if you don't vote on it today, you're going to have to kick this thing out another 60, 40, 30, 80 days or start the whole process over this notice of foreclosure. That's gone out has already gone out. Interested parties have been noticed. If you just don't do the next step in the foreclosure process, wait a little bit longer. I don't believe you have to re notice it. Now. I say that not coming to this council having reviewed the foreclosure statutes, so I don't want to mislead anybody if I'm in error on that. And if city attorney office thinks I'm in error, then there we go.

Speaker: Well, and I don't want to jump in here ahead of the commissioner commissioner Mapps, but I do want to just remind people this is a first reading. So I

would say get to work. And if our staff comes back with a different recommendation at second reading, we'd certainly be open to it. Commissioner.

Speaker: Sure. And I appreciate commissioner Gonzalez's due diligence about the costs that are piling up on this particular property as we go through this process. I hope we also just remember some of the social costs that are associated with this property. I'll tell you, I'm probably about five years, if not more removed from the day to day interactions with this particular space. But I can tell you back 5 or 6 years ago, one of the dynamics that we would have in this property, which is kind of a vacant lot with a bunch of vehicles and rvs parked there, and frankly, a lot of those rvs would be set up as brothels. And how those businesses became established in the brothels is unclear or whatnot. Certainly, the property owner was aware of it. Periodically, the property owner at the time would ask the city's assistance in getting those removed, but then they would come back again. Why? That kept repeating is an interesting question, which we never got fully resolved, but it has been a real detriment to the parkrose community in particular, I have watched. I have personally invested some of my professional time over almost two decades now, trying to make this space a little bit better. I sure hope that we I recognize people want more time. On the other hand, I am also delighted that we might be at a point where we're moving this conversation forward a little bit because we're, I think getting pretty close to at least the third decade of a really challenging property, you know, holding back, turning parkrose into helping parkrose be its best self, let's put it that way. Great. Thank you, thank you, thank you.

Speaker: The next person we have is brian mcdonald for item 860. Welcome.

Speaker: Thank you.

Speaker: Hello. My name is brian mcdonald. I want to thank you all. Thank you. And excuse me. Sorry. So sorry. It's really good. Second ago. Anyway, I want to

thank mr. Foster for really working with me. Excuse me. I'm sorry, I'm sorry. I want to thank mr. Foster for really working with me, being fair and explaining the process very clearly. I wrote a lot of scribbles, but maybe I should keep it. Keep it short. The. I'm sorry. Anyway, 12 years ago, I beat my parents. My father died, and I became the trustee of two houses, the family house. And then he had purchased his house and I it was in, you know, poor shape with obviously even 12 years ago when, when, when this and ten years ago was when the first when this the major there's really there's two open cases, two two code violation cases. One's been dragging on for 14 years and I apologize for, for kind of bringing down the neighborhood for 14 years. Anyway, he. So I you know, I worked to pay the taxes on both houses and that's about all I could do. And I was just dragging myself to work and then and then mr. Schultz, schultz had been in the neighborhood, and he asked if he could park his trailer on the property, and he said he'd, you know, keep, keep looters away. And I thought, well, that would be an improvement. And subsequently he denuded it of bamboo, blackberries and grapes. I mean, it was it was completely it was completely vegetation, basically with a house somewhere in there. He and he's kept bad people away. I don't think, as far as I know, no, no, no one has stashed anything on the property or done anything in the property since since greg's. Greg's been there. Anyway, I'm trying to keep this short. One minute. So. So then. Oh, then it's a year ago. Mr. Foster asked me to complete the two tickets and talk to the deduction people. I. I at the time, I had a catheter in my chest. I had a urinary catheter. I had a mutilated left arm, and I did my best and it had and had not had a job for a year. I got a job four months later. So that was after 16 months, still paid off the taxes to for anyway. Anyway, we got close as I believe the property the you saw the pictures. I would say there's no trash on the property. We have all the seven complaints almost done. We never we didn't get to meet with the inspector

yesterday. I don't know why he may have driven by and said no, or he may have just been busy. I haven't talked to him. I think it's close to finished. Thank you.

Speaker: Thank you also for item 860 is gregory schultz.

Speaker: Welcome.

Speaker: Howdy, y'all. My name is gregory schultz. I'm here representing for brian mcdonald's. I've actually been on the property taking care of it for about a year and a half. So since I moved from across the street, it's been cleaned up the property as he's told you, I've been working with mr. Foster since last time about this problems. Unfortunately, nothing's really been come up to situations because of brian's health at the time, but now we have gotten a lot progress on it. As he said, one of the tickets could be canceled if the inspector had showed yesterday, and he's going to get a complete reduction on everything, which I'm helping him get everything set up and fixed because I am a contractor. So everything is being going forward. If we could just have a little more time, is what brian's asking. He would like to save his his dad's home and wishing, and we're going to go ahead and get that going to where he can go ahead and rent the rooms out and have it back online. If he would just give him a little bit more time, maybe just postpone this a decision and put it onto the next one and he would be able to get this going to where we can get a loan to be able to get this going. He just had a very bad health situation. And I promise you I will help him get it going. Thank you very much for your time.

Speaker: Thank you.

Speaker: That completes testimony.

Speaker: All right. Further questions real quick. Yeah. Commissioner Ryan, hi.

Speaker: Thanks for being here. It seems like you're here more often. Is that true?

Speaker: No. You know, we've only been here three times this year.

Speaker: Three times? Okay, I guess my first two years, I barely heard these reports, so.

Speaker: Well, I just started.

Speaker: Okay. And you're doing great work.

Speaker: May of 2023.

Speaker: So when people want more time and for the next one is the next 1 in 3 months, is that an arbitrary I'm listening to? Probably be back.

Speaker: I'm probably February.

Speaker: Okay, thanks. January or February I add one more commissioner Gonzalez.

Speaker: You bet.

Speaker: I guess just across the board. So we have some instances where we have engaged property owners or engaged interest holders that are trying to cure or trying to you know, they're responding and they're showing up here. And then we have the other ones where, you know, it's like pulling teeth to get someone to engage. And they've essentially written off the property. So i, i, you know, I guess I'm just as a question back to you guys administratively, how do we keep this moving? How do we not disrupt the processes but also give space for folks who are engaging in good faith? The opportunity to address these issues and yeah, so I'm asking you guys for guidance to us here as, as on how not to disrupt what you need to do, but also give folks space to engage in the process.

Speaker: So what I do is I try to get the arrangement made before they come here, so I can pull it off the list. I won't have to submit it. And then I give them the try to give them the appropriate time that they need to correct the violation with the mcdonald case, the issue is, is that nothing's been done since January. The pictures that I showed you were recent pictures of the property. And there's also been an

increase in police calls to the property as well as now the neighbors are calling me to complain about what's going on at the property. So in that instance, I couldn't, in good faith, ask for more. Ask for additional time.

Speaker: Jonas, you had something to add? Yeah, commissioner. So just. And thank you, Kevin. Obviously. Great. Great work that continues. So the intent is to sort of phase these batches. So that we can be most efficient with sort of staff time as we go through the foreclosure process and the sale effort for those properties that do proceed. So I say that because the intent is to kind of bring these forwards and packages so that we keep those processes aligned and appropriately manage staff time. It's obviously council's discretion whether one goes forward in this batch or council directs us to provide more time to bring that forward. Perhaps in the next batch there is a third path, which is to bring things more frequently. I don't think that's the path we want to do. So I say that because I think the decision is, you know, we kind of bring it as part of this batch. One of the properties that are under discussion, or we kind of pull it back and allow that additional time, which could be 3 to 4 months to continue working with the property owner or having other impacts. And so I just wanted to be clear that there is sort of intent behind coming in packages. There's a there's a middle ground pathway that we could choose. It just puts those those sale timings out of alignment and creates a little more work and inefficiency for staff.

Speaker: Okay. So one of the other things I'd like to recommend is for these particular two properties. We put them over to next week. That will give us time to do some discussion about what to do and how to move forward. And then next week we'll know whether or not we'll be presenting them for foreclosure consideration.

Speaker: Yeah, if I may be so bold and I'm not speaking specifically to any of the proposals that are before us today, I'm speaking generally a lot of these properties are extremely problematic. They have become a dangerous nuisance to their neighbors. In many cases, their neighbors have complained directly to the owners and to the city for years. And only after they make it onto this list do we finally hear from the property owners. And they come in and they tell us about their sincere intentions to fix things up. And I will tell you, after eight years on this council, maybe I'm getting a little bit cynical about that. These properties, as I've said it, every one of these sessions over my eight years, it is very hard for government to take property away by design. This process is laborious and you guys do very, very difficult work and it goes through stage gate after stage, gate after stage gate in order to get to where we are today and where we are today is after there has been extensive time, years of time to resolve these issues. Every opportunity for people to hire a representation or a lawyer or anybody else, and only today do you start to hear from the property owners. And in fact, we even had one of the ones I was frankly looking forward to foreclosing on pulled out of this package because it has been a nuisance, an eyesore, a disgrace in its neighborhood for years and years, and still there's another opportunity for the property owner to do something with it. Now you have a week, and the people who represent these properties know they have a week. I will tell you, I'm not optimistic that much will change in a week if things haven't changed in years with notice after notice after notice. So call me a jerk. But don't call me naive. Those are my thoughts. Thank you, commissioner Ryan. Anything else on these? Good. This is a first reading I can I collectively I have to do it individually. I have to do it individually. And I hang on for a sec. I where did what number did we start with? 855 855 first reading of a nonemergency ordinance goes to second reading. 856 first reading of an emergency ordinance goes to

second reading. 857 first reading of a non emergency ordinance goes to second reading. 858 first reading of a non emergency ordinance goes to second reading. Which one did I pull on the last one? 859 first reading of a non emergency ordinance goes to second reading. Eight 61st reading of an emergency ordinance goes to second reading. 861 first reading of a non emergency ordinance goes to second reading. 862 is the first reading of a non emergency ordinance. It goes to second reading and 863 is the one we pulled. Correct? Okay. So that's where we are with those. Thank you everybody. Thanks. Thank you city staff for your good work on this I appreciate it. 865 is our last issue. It's a report amend contract with stantec consulting services incorporated to extend on site design and construction support services for the bull run filtration project. I'll pass this on to paul for public works to start this presentation.

Speaker: Thank you, mayor, and good afternoon. Council, this is paul dca for public works. This report council is regarding a contract amendment with stantec consulting for extending the contract by five years to October 31st, 2029. No additional funding or contract capacity is requested at this time. This is simply an extension of contract duration. This contract is for engineering, design and construction support services for the bull run filtration project. These. These services are important or necessary to implement the planning. Design, construction of the filtration facility that comply with the long term to enhance surface water treatment rule and renewing this contract for an additional five years will allow for uninterrupted services. As we work towards meeting a deadline for compliance agreement with Oregon health authority. And with that, I'm pleased to call upon jodie inman Portland water bureau chief engineer to give us the presentation.

Speaker: Great. Thank you very much. Dca nepal. My name is jodie inman. I'm the chief engineer for the Portland water bureau, and I promise I have a short presentation for you today knowing it's been a long morning. Next slide please. So as you are all very well aware, the bull run filtration program includes two projects. The facility as well as the pipelines. The facility is currently the excuse me, stantec, the consultant that we're here for this request today is the designer for the filtration facility. Next slide please. We knew when we started this project in 2017 that it was going to take us ten years to bring the potable water delivery online, and in November 1st of 2019, we passed an ordinance to enter the design contract with stantec consulting services for the filtration facility. We knew at that point in time that the scope of the work was going to exceed the five year city contracting limit, and at that point, we also included in the ordinance that we would come back to council requesting an extension to the contract. And that is where we find ourselves today. Again, this is a no cost extension. All of the costs and the scope for this work were included in the costs that were brought to council with the annual report in April of this year. I also want to state that the contracting cobid percentage goal was 20%, and they are currently at 22.42% at this point in time. Next slide please. I just wanted to share a moment of good news for this project. Since we were since the authorization of the gmp to by you all in April of this year, we started construction on June 3rd and in just over four months we have achieved a significant amount of progress on the project. There were a lot of risks that we all remain concerned and are diligently working to address. One of those was getting to a lot of the site work and earth movement during the dry weather. They have done a phenomenal amount of work and they have done it safely and with all efforts to engage responsibly and safely with the community. With that next slide. So that's the end

of my report. We are just requesting the acceptance of the report to council, to extend this contract with no cost. Very good.

Speaker: Do we have public testimony? No.

Speaker: Ryan, I move the.

Speaker: I move. Commissioner Ryan moves the report. Commissioner Mapps seconds. Any further discussion? Seeing none, please call the roll.

Speaker: Mapps.

Speaker: I just want to thank our deputy dca and the water bureau for really great work on this project. I vote yea Ryan, I Gonzalez.

Speaker: I mean, sometimes it pays to come at the end of the agenda. Well done and we are appreciative of the work that's been done. It's a very, very well managed project. Thank you. I vote yea the reports accepted were adjourned. Thank you.

Portland City Council Meeting Closed Caption File

October 9, 2024 – 2:00 p.m.

This file was produced through the closed captioning process for the televised city Council broadcast and should not be considered a verbatim transcript. The official vote counts, motions, and names of speakers are included in the official minutes.

Speaker: It is 2 p.m. On Wednesday, October 9th, 2024. This is the afternoon session of the Portland City Council. Keelan, please call the roll. Maps here.

Speaker: Yea. Rubio. Here. Ryan. Here. Gonzalez here.

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

Speaker: Might be it might be me. Welcome to the Portland City Council. To testify before council in person or virtually. You must sign up in advance on the council agenda at [www. Dot Portland.gov/council/agenda](http://www.Portland.gov/council/agenda). Information on engaging with council can be found on the council clerk's web page. Individuals may testify for three minutes unless the presiding officer states otherwise. Your microphone will be muted when your time is over. The presiding officer observes the court order disruptive conduct, such as shouting, refusing to conclude your testimony when your time is up or interrupting others testimony or council deliberations will not be allowed. If you cause a disruption, a warning will be given further disruption will result in ejection from the meeting. Anyone who fails to leave once ejected is subject to arrest for trespass. Additionally, council may take a short recess and reconvene virtually. Your testimony should address the matter being considered when testifying, state your name for the record. Your address is not necessary. If

you are a lobbyist, identify the organization you represent. Virtual testifiers should unmute themselves when the council clerk calls your name.

Speaker: Thank you. Thank you very much. We have one item this afternoon. Item number 866. An emergency ordinance.

Speaker: Adopt the fy 20 2425 fall supplemental budget and make other budget related changes.

Speaker: Colleagues, now we'll hear the fiscal year. Excuse me, 20 2425 budget monitoring process. The bump ordinance. Historically, the fall bump has had two functions giving City Council and the public a summary of prior year budget activity, making technical adjustments to the current fiscal year budget to reflect prior year end accounting. As the city transitions to the new form of government. The fall bump this year focuses on true upending, balance from the prior fiscal year, and it addresses a very small set of required unanticipated, unanticipated budgetary needs in the current fiscal year. Given the general inflation to existing costs. The sun setting a federal one time resources to fund ongoing needs, and the elevated level of deferred maintenance, the demand for resources continues to surpass availability within the city. No surprise to any of us here. In August, I provided fall bump guidance that limited new funding requests and directed service areas to look for current year savings through a coordinated citywide review of reclassifications vacancies and materials and services expenses. That work is currently in progress. Additionally, per my direction, the city budget office and grants management team completed a thorough review of American rescue plan expenditures to ensure that no arp dollars are left on the table and unspent. I want to thank the city leadership team and in particular, the city budget office, for their excellent work to deliver a full budget proposal that keeps the city moving forward through the current fiscal year and into the next administration. This afternoon,

we're going to hear from deputy city administrator jonas berry and then city budget office director ruth levine will walk us through the fall bump ordinance. Council will introduce and second, any amendments for consideration. And then, of course, we'll hear public testimony after public testimony. Council will deliberate and vote on any amendments that are offered. Once we voted on the amendments, will then vote on the full bump package as a whole. And with that, we'll turn it over to jonas.

Speaker: Great. Thank you, mayor, and commissioners. Good afternoon. For the record, jonas berry, the city's deputy city administrator of budget and finance and chief financial officer. This fall, bump recommendation represents a prudent approach that addresses critical, immediate needs. While holding resources and contingency to provide maximum flexibility as we navigate the coming months. We anticipate a challenging budget environment for fiscal 2526. The proposed bump strategy is an important element to guide the city towards financial sustainability by providing a long runway to address those financial challenges. The final fiscal year, 2324 general fund revenues came in very close to the April 2024 forecast, technically up about just over 1%, or about \$8 million. The estimated fiscal 2324 general fund ending balance after adjustments was approximately 95 million, right within the ideal target of 90 to 100 million. Combined with the current year savings initiatives described by the mayor. The good news is that there is some capacity in projected one time general fund available to reallocate in fiscal 2425 via this fall bump. However, we also expect a significant amount of uncertainty during the remainder of this fiscal year, as well as the ongoing general fund budget gap in 2526. Ruth will provide more detail in a moment, but the summary of the recommendation recommended approach, as reflected in the ordinance and the supporting materials is three fold. First, and as is typical in the fall bump, this ordinance accommodates many technical adjustments to true up beginning fund

balances citywide and is the first opportunity for bureaus to make adjustments to their current year resources. Second, the city leadership team has reviewed the exception requests that were brought forward by service areas and identified approximately 3.7 million in funding for immediately known fiscal 2425 required expenditures that were previously unanticipated. Third, the package directs that the remaining available general fund be retained in contingency to address potential needs that are likely to arise in the near term during the remainder of this fiscal year. And if we're successful in containing spending any remaining unspent general fund balance can become available as a one time resource to help bridge the expected budget challenge in 2526. Lastly, I'd like to appreciate this year's new and collaborative decision making process. I'm very optimistic regarding the path forward and city wide budget development, and would like to thank and commend deputy city administrators, bureau directors, city budget office staff and many bureau contributors citywide for supporting this new process and approach. And I'll now hand over to city budget office director ruth levine and bump coordinator anthony loch to walk through the proposed ordinance and the numbers in a bit more detail.

Speaker: Great. Thank you. Ruth levine, city budget office director. So I'm just going to go through some of the details here. So on the screen you can see the sort of high level of where we started going into this fall. So the top above the line, as jonas mentioned, is the prior year ending fund balance of about \$95 million. The reason there's two numbers broken out here. There's the 82 million. That's what we knew of as ending fund balance as of September 1st. And then we had a late adjustment for some revenue. That was recognized. That was recognized late, about \$13 million. That brought us to the total of the \$95 million. So, so good news. We ended up last year roughly where we wanted to be. The adjustments below the

line are sort of required adjustments that we have to make. There was about \$55 million that was essentially already budgeted towards known expenditures in the current fiscal year, and then there's a \$17.7 million of encumbrance carryovers. Those are purchase orders that bureaus opened and did not sort of finish paying last year. And then there's a required adjustment to that sends funding to the housing investment fund. That's a policy requirement. And some other sort of accounting adjustments lands us at the \$23.7 million. That's the amount that we are allocating through this fall bump package. Next slide. So also as Jonas mentioned, we went through a process that was sort of laid out by the fall bump guidance that the mayor put out in August for exception requests. So the sort of guidance was no new allocations in the current fiscal year, but there was a process for allowing exceptions to that guidance that went through the new city leadership team. And so the bar was very high. It was really only the request that came in, by and large, were for things that were really only things that we essentially have to pay for this fiscal year. And, and so that's those are the ones that were approved. And that's what's on the slide. So there's about \$3.7 million of them. And I'm not going to go through them line by line right now. Happy to answer any questions. Several of them are required sort of by policy or were through labor bargaining agreements that took place kind of after the budget was adopted. The bureau of human resources ones are the biggest the ppa fund general fund subsidy is just the health fund for Portland police associations. They have their own health benefit and that's funded that's essentially a required payment that we have to make to fund that, that health fund, sub fund. And then and then the rest are for bhr sort of payroll and operations to fix some issues related to payment of the city's taxes. And then also reflecting labor bargaining agreements in our sap and our payroll system. And so that's the kind of biggest chunk in here. And then there's a few other little

things. The amount of the 350,000 is for an auto and retail theft task force that was supposed to get into the adopted budget, but didn't. That's going to the Multnomah County district attorney's office. And then a few other little things for space rent to just to true up some some issues that were discovered in the current year budget. So that is the summary of the exception requests that are in the bump package. You can go to the next slide. So the remainder. So we had that \$23.3 million. That's and then 3.7 of that went to those exception requests. This is the rest of it. And so we split it into two buckets. The first is the capital set aside amounts. So this ordinance actually waives the capital set aside requirement which is a requirement in financial policy to allocate 50% of ending fund balance after adjustments to a capital set aside contingency account. The reason it's being waived is because we did this a little bit differently. This year, and the items that are on this list are sort of known capital related expenditures that and liabilities that the city faces, but they don't quite meet the technical definition of capital set aside. So that's why we're waiving it in the ordinance itself. But we are still allocating these items to capital set aside. The it's still in a contingency account. So it hasn't been budgeted in the bureau. These aren't being budgeted right now. They're just kind of recognizing, hey, we know we have these liabilities outstanding. We have to pay for them. So let's use this vehicle to do that. So i'll just go through them really quickly. So the first is the ada compliance that is both in pbot and parks. The pbot has the creek settlement which is an agreed upon number of curb ramps, that they build 1500 curb ramps per year. And that has a funding gap associated with it. Parks also has ada requirements and is one of their largest sort of items on their capital maintenance list. And then the second one city fleet headquarters relocation. That's part of the curb garage relocation that that was included in the budget. But it's a large known expense that's going to be hitting bureaus budgets starting this fiscal

year. And so this would help to sort of offset that to some extent, not completely. The last one, the squid, is the flood safety benefit fee for the columbia river levee project. And so that would again, that's a known known. We have to pay that. There's there was state legislation that required the city to pay what will be about \$5.3 million in 25, 26 towards the columbia river levee. And so and so those are the capital set aside. That's what's in that bucket. And then below is sort of contingency. And policy set aside. These are also again in contingency. So they we would have to come back to council to actually allocate these into bureaus operating budgets. But I'm just going to go through them quickly. So the first one, the emergency fund that's per a budget note, that should be filled up to \$1 million in each fall bump. So that's what that is. That's just for if there's a city declared emergency to cover some of the bureau expenses related to emergencies the prior year, remaining public safety, set aside amount of 915,000 last year in the fall. Bump you all approved an \$18 million policy set aside for public safety, recognizing that there were going to be overtime expenses above budget within those bureaus. And sort of the good news is that the amount they need this year is lower, in large part because the budgets were adjusted in the 2425 adopted budget. But there are still some things, sort of that are difficult to predict in terms of exactly how much resources they'll need. And so we're holding these two amounts in contingency. The 915, which was left from last year, and then the 3.5 million, which was the amount police requested for their overtime above budget. You know, there's a lot that impacts public safety overtime both in police and fire. And in boec as well. And that's because they're so big, you know, it's just very hard to predict. So it's good to have a little bit in, in contingency to be able to address what are what are likely expenses. And then the last line there, the current year health benefits set aside. That's just to put aside some money, because the amount that we budgeted for the 2425 health benefit increase

amount was equivalent to about a 5% increase. Bureaus are actually paying closer to a seeing a 10% increase. That's based on the agreement that you all made in the spring around the health benefit increases, where there was sort of a 12% increase that was partially offset by an employee surcharge. In any case, that this amount will help to cover bureaus. If they are sort of hitting their benefits budgets by the end of the fiscal year. Because of that increase in health benefit expenses. So that is the basic summary. I think we can I yeah, pause here.

Speaker: I don't want to interrupt the flow of your your presentation, but I think I can spending a minute here now I think can save us 15 minutes later on. Deal. Great. All right. So very quickly can you remind me what the ada compliance liabilities pay for.

Speaker: Sure. So, so again this is a contingency amount. So it's not in it's not in the bureaus budgets but the idea was to take this amount and say, you know if we have if we have this funding available, we have these known ada compliance requirements both in pbot and parks. This is loosely based on an estimate of the creek outstanding creek liability and pbot and then kind of the rest for parks and but again it's not it would have to be allocated based on actual, you know, an actual proposal about how much money is needed. And so, so it's really, truly an estimate. But in both of those bureaus there's a much larger, frankly outstanding liability on ada compliance.

Speaker: Perfect. Do you remember how much how much that funding gap is between our liabilities and the 6 million we have on the table right here?

Speaker: Sure. I mean, I don't I don't have a total number off the top of my head. I think pbot alone is something in the 30 to \$40 million range. It depends a bit on how you estimate the cost of a of a ramp which go up. I don't have the parks number.

Speaker: Okay. So great. So we got about 30 million in liabilities. And even just in the pbot space for ada compliance, we've got 6 million here quickly perhaps set aside and we're complying with something. And you said in the context of the pbot, we're complying with the creek settlement. Can you remind me what that is?

Speaker: There was basically a commissioner.

Speaker: We were basically sued. By whom? Ada by a group that advocates for wheelchair access. Okay. And we lost or we actually settled. We didn't go to court and the settlement was that we would build 18,000 ramps over 12 years. Okay. And we can't it's difficult to do the math because they're all different. Right? And we're doing it over a long period of time. So we could present value it. But but basically that's where it came from. That liability.

Speaker: Okay. Can we choose not to do that.

Speaker: No we can't choose not to do that.

Speaker: Okay. That is helpful to me. Thank you very much.

Speaker: We could choose not to do it. We'd be back in federal court if we did.

Speaker: Got it. That's helpful. And that answers some questions that have been rolling around my head this afternoon. We may come back to that later today.

Speaker: Great. Does that complete the presentation?

Speaker: We just have one last slide, which is to just to note that we normally cbo has a compensation set aside contingency account. And we usually have bureaus request that amount in the spring if they need it. So it's the estimate is based on essentially cola and health benefits. And the reason we have them come back in the spring is because if they have vacancy savings in their bureau, they just may not need that amount. And so it's helpful for us to have that flexibility this year. We are we are planning not to have a spring bump come spring. We usually do that in early April. We will have a brand new council and per the recommendations that came in

from from the from jessica kennard and a capacity as a consultant for the city this this summer, they recommended not to continue having or to at least reduce the number of times we come to council throughout the fiscal year to adjust budgets. Frankly, we do it more than anyone else, and so in planning to not have a spring bump, we said, okay, here, here are your compensation set aside amounts. And we just directly budgeted budgeted those into bureaus. We will have to have continuing conversations over the course of the winter with bureaus about what this will look like. You know, how you know, we we're not going to just say, oh, we're not going to monitor budgets anymore. So we're still going to do budget monitoring. It just will likely look different. So this is just to say, for one thing, bureaus should have a bit more, you know, most bureaus have historically I think, forecasted compensation set aside as part of their spending plan anyways. But this does actually allocate it into their budgets. They should have a little bit more flexibility and so just wanted to note that as well. And I think that's it.

Speaker: All right. Very good. So at this point we'll hear in a second any amendments. I know commissioner Ryan has at least one amendment. I would ask everybody please read your proposed amendments and then seek a second after amendments have been placed on the table for discussion, we'll hear public testimony. So i'll now open up the floor to my colleagues for discussion of amendments. Commissioner Ryan, you're up first.

Speaker: Thank you. Mayor, I would like to propose an amendment and make a motion to re-appropriate commissioner offices and the mayor's office. Prior year. General fund underspending to the future City Council and future mayor. My team and I have heard overwhelming demand from the community. G-tech current commissioners and community about the need for more staffing in 2025. My amendment responds to these genuine concerns for our new council, and it gives

the new council tools to meet their evolving needs. This reserve of funds comes from the underspending of the council offices from 20 2324 budget cycle, and the funds underspent by the mayor's office will be moved forward for the use by the next mayor. Those funds will be set aside for the use by the next and first elected representatives. Our new city government as they see fit. This amount for council is not to be seen as a per office allocation. My amendment is simply good governance and good manners. I want to ensure our new City Council has the resources to make realistic adjustments in 2025, and I'm confident these essential funds will improve the new government's constituent responsiveness and legislative efforts. We have a responsibility to help the new council where we can, and this is a great opportunity to steward our city forward with options to make adjustments where needed. I'll now read the amendment into the record motion and you all have copies of this. And I had conversations with everyone yesterday, and I know that my chief of staff, tj mchugh, has been in touch with all your offices as well. Motion to re-appropriate commissioner offices and the mayor's office. Prior year general fund underspending to the future City Council and future male mayor. Decrease contingency within the general fund and funds management previously earmarked as capital set aside for ada compliance liabilities by \$437,773. Increase bureau operating expenses within the general fund and City Council by \$342,250 increase bureau operating expenses within the general fund and the office of the mayor by \$95,523. Update exhibits one through five as needed to reflect this change. Current year underspending after December 21st, 2024 from the commission of public affairs. Commissioner of public affairs, commissioner of public safety, commissioner of public utilities and the commissioner of public works is expected to be re-appropriated in City Council in the overexpenditure ordinance. Do I have a second?

Speaker: Second commissioner Ryan moves Ryan number one and commissioner Gonzalez seconds commissioner Mapps.

Speaker: Thanks for putting this on the table, commissioner Ryan, I have a couple of questions about your particular proposal. First, there's a fairly obvious gap between the title of the proposal and, frankly, the substance of the proposal, the title of the proposal is motion to re-appropriate. Basically, underspend from council offices to future council offices. But your first bullet seems to indicate these dollars are not coming from council offices, but instead are coming from the capital set aside for ada compliance, which just profoundly confuses me. What's happening here?

Speaker: Well, you were here. So what happened is your office, my all of our offices had some underspending last year, and it went into. And then the budget office reappropriated it after we they received our underspending and they put it into that category. And so, so could you explain that further?

Speaker: Sure. Happy to. Yeah. So I mean the way the general fund underspending works is you remember that that first slide with the big ending fund balance number, everybody is underspending in the general fund at the end of the fiscal year just falls into that one big bucket. It's no longer yours or yours or mine or, you know, right. It's just all in one bucket. And then we go balance. We and then we do a balanced budget submission. So it's not I couldn't tell you which bucket it's in. It's somewhere in the \$95 million. And so it got re you know reallocated based on the proposed budget that we submitted. And so yeah it's just sort of in there. So the reason so now if you if, if you wanted to pull it out, it has to come from somewhere because it's a balanced submission. So, so that's, that's how that worked. Does that help.

Speaker: So in practice what do I pay attention to here in terms of what's actually happening with this amendment? The title says we're pulling out underspend, but it seems like that is in the past underspending council office. It seems like that's in the past. It seems like the proposal before us today actually pulls out dollars that are in a set aside to comply with the Americans with disabilities act.

Speaker: So, commissioner, if I can attempt to sort of give the chain of chain of thought here. So there's underspending available that's effectively in fund balance. The proposed budget, as was submitted to council by city budget office, allocates that that available fund balance to various places. The exception requests the capital set aside or replicant of the capital set aside, and then the other contingency amounts. And a portion of that was identified as towards going towards ada. So that sort of step two, where we are now the commissioner Ryan's amendment is suggesting modifying that proposal to reduce the amount that's going to that ada compliance line item, for lack of a better word, to be reallocated towards the council and mayor offices.

Speaker: Are we still obliged to comply with our settlement with the ada? But we're pulling dollars out of this particular pot, despite the fact that we've lost a lawsuit. It says we're not. Our infrastructure doesn't let people in wheelchairs get to correct.

Speaker: This would put fewer dollars in the current year targeted towards meeting that that creek ada compliance obligation.

Speaker: I mean, I think 7% that the it we would just have to fund it some other way right. I mean this this the strategy of putting these amounts in contingency is to say, okay, we have this, you know, if come the end of this fiscal year, we have this money available. It's just kind of putting it aside as a tool to address a known liability that really will be budgeting for next year. I mean, and, and again in

subsequent years. But so it's really it's one of the tools to address that liability that we know we have.

Speaker: And if I may also just add, you know, just reminder that this contingency strategy with kind of putting these amounts in contingency, but identifying targets is a different approach than the city has taken in large part to maintain maximum flexibility, knowing we're entering sort of a period of uncertainty over the next few months for a variety of reasons and hoping that if we if we don't need to spend those flexible dollars that we have a little bit to help accommodate next year's budget. So it is an important point that they're not allocated dollars, right? We still have to fund that. They're not appropriated. This would take a portion of those dollars that proposed amendment would take a portion of the dollars and appropriate them specifically to a dedicated purpose. Okay.

Speaker: So just so I understand the amendment on the table pulls about a half a million dollars that we've set aside to build curb cuts. So people in wheelchairs and whatnot can cross the street, get to the bus stop and all that, and takes that half \$1 million and does well with it.

Speaker: But it it appropriates them in the budget to be spent for to be available to be spent on council staff, council expenditures. I mean, I'd reiterate this is one time dollars. So it could be used for staffing, but it is not an ongoing resource. It's a one time resource. So that's a decision that would be made via the and by a future council. Yeah.

Speaker: And for the record it is the number is 400 and 437 million, which is 7% of the current set aside for this year. Commissioner. And 1% of the total 40 million over the next four years, five years. Yeah, I would bring that to perspective.

Speaker: I appreciate that that caveat and I think it's probably obvious to folks in the room my concern, you know, we've lost a lawsuit that basically told us you have

to build curb cuts to city of Portland because people with disabilities can't get around to where we need to go. We don't where they need to go. We have never set aside enough money to do this. We set aside a little bit of money for that purpose here, and now. We're talking about pulling those dollars out in order to basically increase staff for the next City Council. And I agree, increasing staff for the next City Council is an important thing. And I think City Council, the next City Council will have the power to do that. Anytime you're in a policy and budgeting making position you have, you have to make choices between forward facing, public facing, direct services to the community and, you know, staffing our offices. I'll tell you at least so far with what I've heard today, if I have the choice of building more curb cuts for people in wheelchairs versus hiring more staff and bureaucrats for city hall, I'm highly inclined to build the curb cuts because we literally have lost a lawsuit. We have to do this. We've done this in federal court. Like this is frankly, we have versions of this conversation all the time. I think it's well past due that we build these freaking curb cuts so we can move on with our lives. But that's just my observation on this. And I look forward to dialog about this particular amendment.

Speaker: Can I ask one quick follow up question? So the capital set aside is set forth in our financial policies. Correct. The ada compliance earmark. I just want to make sure I understand the structure of the bullet point here, because I think commissioner Mapps threshold question is just how it's phrased, but I just want to make sure I'm following this. So the ada compliance liability is actually not a an acceptable expenditure for capital set aside as written in the policy or it's not clearly articulated as an appropriate use of capital set aside.

Speaker: No, I think that and I had a back and forth with linly, but I think that that particular bullet point is I think the one that caught the there were there were two there are two reasons we're waiving capital set aside in the ordinance. One is those

numbers don't quite add up to 50% of the of the. They don't they don't quite add up to the required amount per the policy. Two is that the columbia river levee portion is not a city owned asset. And so for that reason, it doesn't really meet the definition of capital set aside as it is put forth in policy.

Speaker: You probably lost me somewhere along the because the levee wasn't even on my radar screen. So I just want to make. So if I could isolate the question just to make sure I'm following the first part of it. So a sidewalk city asset building curb cuts would. That's an appropriate use of the capital set aside.

Speaker: Yes. That is okay, because I thought in the intro that you that we were hearing something different, but I but the so how does the levee come into this.

Speaker: So if you see we just pulled this slide back up.

Speaker: So the so the policy dictates that 50% of the essentially available ending fund balance after adjustments is supposed to be put into capital set aside. Okay. Normally we go through a process where we solicit requests from bureaus to essentially spend that capital, set aside money. This year, instead of doing that process, we said, you know, we know we've got liabilities we need to pay for. Let's not even go through that process, okay? And we put them down on the slide and the, the issue is after going back and forth with the attorney's office there, the a as I said, once we ended up balancing, we didn't quite hit the 50%. So you'd have to waive just because it says 50% and then b the flood safety benefit support line. That third one is does not meet the technical definition for capital set aside in the policy because it wouldn't be a city owned asset.

Speaker: Okay, I think I follow that and I mean, commissioner Mapps I mean, I'm looking at this as sort of two levels. One, you know, our ability to invest in infrastructure and appropriately reserve for the necessary investments to address our deficits that have are generations in the building. You know, that is a broader,

deeper discussion that figuring out how we can set the next council up for success there on how to appropriately save for necessary infrastructure, whether it's lawsuit driven or just you know, amortization, depreciation of assets. Right. I mean, it's all cities struggle with this. All governments struggle with this. We have not done any better, it seems, than any other city or locality on that. And that's predates all of us. I mean, it's I just in my short time on council, you know, even the way we talk about the capital set aside, we waive it all the time. And it's just so it would sort of begs the question, like, why even pretend that this is guiding our budgeting? You know, it's I will say the way they've done it here in some ways elevates the importance of ada compliance. I mean, because the fact that we're, you know, proactively allocating towards those liabilities ahead of request from bureaus to utilize capital, set aside, you're actually I mean, your overall process. But the liability to the front of the line if I'm understanding correctly, relatively speaking. Now we're coming back, you know, with this amendment proposing adjusting some of that, but they're actually trying to save for the liability in the overall approach to the budget relatively early. Or am I missing something?

Speaker: Yeah, I mean, I think that's true to some extent. I think I will say the language of the capital set aside policy actually calls out transportation as one of the uses. And then we also I looked back at prior capital set aside processes, and there were three main things we fund ada compliance and parks, ada compliance and pbot. And kirby. And those were the big requests. So I said, you know, we know we have this. We also know we have this flood safety benefit fee, which again, doesn't a little bit doesn't doesn't fit. So the driver behind this was you know, what are things that we know are a, you know within the realm of capital set aside mostly and b are known liabilities that we have to pay for. Frankly next year in our budget. And these were the ones that we that we selected.

Speaker: Yeah. Okay. I mean, i, I'm not sure it changes the general thrust like you, we're going to have to pay for these things. We're not not spending money on the curb cuts. And in some ways, you put a chunk of money at the front of the line in terms of what's within the set. Aside. And the proposed amendment adjusts a component, a percentage of that. But I don't think anyone's losing sight of our obligations under the ada lawsuit here now or in the future. That's just my takeaway. It doesn't take away from the broader conversation on how we save for infrastructure, because we have not solved that. And I'm not sure how to yet, but commissioner Mapps commissioner Gonzalez, I appreciate your engagement here.

Speaker: I'll be transparent. I'm not sure if I'm following the entirely the argument that you're making here. I guess as a guy who's been in the transportation space, one of my obligations and it's frankly an unfunded mandate. Is to build 10,000 curb cuts. There's never enough dollars for this. This is something we need to do at a human decency. And because we have lost a lawsuit here, it's very easy at moments like this to go in and grab dollars that we've set aside for that purpose. Frankly, some version of this move that we see today has happened. I think every year I've been on this council and as we consider, as we all consider, how to cast our votes on this particular amendment, I hope we all take a moment to think about the comments that we delivered earlier today for the white cane day proclamation, and what we're actually doing here, and just to build up.

Speaker: So this is a question back to staff. Or are we in compliance with the ada lawsuit as far as we're we. No, I mean, are we cutting curb cut or is that something I need to take off line with the city attorney? I mean, I'm just trying to. Are we building curb cuts at the pace contemplated in the settlement?

Speaker: Short answer is no. Okay, we're behind, but we have 12 years, I believe, to actually accomplish what was laid out in the settlement agreement. We have built a large number and to make this even more complicated.

Speaker: Yeah, this is turning out to be more complicated.

Speaker: They are not all built by pbob. When the bureau of environmental services replaces a pipe in a road, they often have to build curb cuts because pbob requires it. When a developer does development on a lot and there's a corner, they have to build an ada curb cut. So we're getting there. And but I would say and I don't know, I don't have the numbers right in front of me. But I would say given the schedule of the settlement and the amount of curb cuts we have built, we are probably behind.

Speaker: Yeah. And I would just add, having been in a meeting not too, too long ago with pbob and city attorney, and my understanding is we are actively in compliance. There's a question about the long term. And as you said, city manager jordan, it's a little more complicated than just x number. Each year there's some accommodation for ups and downs and variability, but there is a longer term discussion that needs to be had about both funding ability and operational ability to sort of complete the work, even if the funding is available to maintain compliance in future years. And I don't know if the city attorney has any other input to disabuse me of what I just said, but that's my understanding.

Speaker: And it's my also understanding that we got wilcherry from pbob, who's an expert in this space. It would it make sense to invite will to weigh in on this conversation?

Speaker: Commissioner, you can invite anybody you'd like.

Speaker: I will you out there while he's pulling this up because you actually opened a whole other can of worms that I guess I didn't fully grasp.

Speaker: But private developers are also providing some of the curb cuts. Do we have any idea what percentage of those curb cuts come from private developers versus, you know, us a lot fewer lately?

Speaker: Yeah.

Speaker: I mean, it gets it opens up a whole can of worms. We're not developing. We're not we're not creating enough.

Speaker: The obligation is the obligation. Commissioner is on the city to do it. How it gets done, whether it's through an obligation by a private developer or it's us rebuilding them because of the settlement, the number is still the same. Our obligation is still the same, and it's still the city's obligation.

Speaker: So I just when we look at how we get behind, there's not development in the city by private enterprise. We're not it's a it's a headwind in meeting our requirements that I'm not sure I fully understood until you just mentioned it. Okay.

Speaker: So I'm told will is unmuted and I see shannon has her hand up too. I don't know who's working as the traffic cop here. Will, are you there?

Speaker: I am commissioner, okay.

Speaker: Can you shed some light on the conversation? I don't know how much you've been tracking the conversation. We're having this morning. It's basically about the capital set aside for ada compliance and liability issues. That's both a parks thing and a pbot thing. We understand that you spend a fair bit of time with the pbot side of things. Can you tell us? Probably the question on the table right now is are we in compliance? Are we building enough curb cuts to comply with the lawsuit that we lost?

Speaker: Yes, that is correct.

Speaker: We are in compliance as the dca mentioned, jonas berry, there is an ongoing question about our capacity to continue to meet our requirements.

Speaker: Our 1500 ramps a year requirement for the duration, another six years of the settlement period.

Speaker: Thank you very much. Will. Is there anything else? I don't know if you've been following this conversation since the beginning. Anything else that this council should know about this particular amendment? Basically, the concepts on the table is to pull a half million dollars roughly out of our set aside for building curb cuts for people in wheelchairs and blind people and whatnot, and we'll divert that to hire more staff for City Council offices. Do you can you give us a sense of the trade offs involved for at least pbob? And folks in wheelchairs?

Speaker: The I think I think you've actually done an admirable job of pulling out the nature of the trade offs that are being asked. Right. And that I think this is the correct form for you all to decide which is more important. I really I would stress that this is a tremendous unfunded liability. I mean, simple math suggests that 1500 ramps per year at a current cost of about \$26,000 per ramp, is \$39 million a year. And this is pbob is hurting, and it's very difficult for us to also absorb that kind of unfunded liability. It's a tough decision.

Speaker: Thank you. Will, I appreciate your your perspective, mr. Mayor. I don't think I have anything. All right.

Speaker: Very good. And looks like will already spoke commissioner Ryan.

Speaker: Yeah, I appreciate that. This amendment is allowing us to have a conversation we probably wouldn't have had if this amendment wasn't on the table. There's really two conversations here. There's a conversation about the fact that we underspent money. We heard from a lot of constituents, especially the transition team commission, that we really underspent providing constituent services support to the new council. And so we're trying to pass that on. And then the second conversation, which you're taking leadership on commissioner Mapps

and it's an important one, is a long term plan for ada compliance. My question to people at the table would be anything we're doing with this amendment, is it going to impact the number of everything that commissioner Mapps has said next year? The productivity of that work, when it seems like this is a long term decision that the next council has to address in terms of that work. But not to put everybody on the spot at once.

Speaker: I'll just say \$473,000 represents less than 20 ramps out of 18,000. And it's a long term obligation. Yeah, this is a 1% cut in something that you all get to make the judgment about, whether that's worth it or not.

Speaker: Okay. I still do think it's two conversations, that's all. And that's what happened in this conversation is we split hairs. And the good news is we're having it. Yeah. If I wouldn't have brought this amendment up, we would just wouldn't i? Yeah.

Speaker: So I probably will have some questions on this later. But frankly, I'd rather get to public testimony first unless anybody has objections. Do we have public testimony on the budget. All right. So folks who are interested in public testimony, you have three minutes each name for the record, if you're new to council, you're going to hear and see one yellow light with 30s to go. When the light turns red, that is when you should stop your testimony. And if you're joining us virtually, we won't hear anything you say after the light turns red. So try and keep it within that three minutes, please.

Speaker: Thank you mayor. First up we have terry harris.

Speaker: Welcome, terry. Thank you for being here.

Speaker: Great. Thank you. First, a quick disclaimer. I am a member of gtac. This is our our co-chair who's going to testify as well.

Speaker: Before we start the timer, could you just tell us your names for the record, please?

Speaker: That's terry harris. Thank you.

Speaker: And I'm bill kinsey.

Speaker: Thank you both. Thanks, gentlemen.

Speaker: Okay, so as a disclaimer, I'm a member of gtac, which, you know, has been a pretty outspoken on the issue of council staffing as it issued several recommendations that are relevant to your discussion today. However, due to the short notice that we've had on this item and the amendment testimony today is just in my personal capacity, it's not been reviewed by gtac, nor is my appearance here endorsed by the committee. Nevertheless, I intend to say what I intend to say today is informed by my participation in gtac, and it's substantive, substantively consistent with our recommendations and it's great that the council is going to get some additional money for desperately needed staffing under this amendment. Okay. From gtac research and review of 20 comparable cities, it's clear that currently budgeted levels for the new council are going to be inadequate for individual counselors, inadequate for shared research policy committee and operations staff, inadequate for the responsibilities of the presiding officer. The charter commission made a very conscious decision to make the new City Council the very center of the new government, and though the commission failed somewhat to understand the fiscal significance of that decision, it's up to us to fund it appropriately. That said, I need to also say that it runs somewhat counter to a consultant's report on the budget that the city that gtac has also supported that was mentioned earlier. The jessica kennard's report. And the report would suggest that one budgeting on the fly in a budget monitoring process ought to be avoided for these reasons that you've just discussed, the budget office shouldn't be in the

position to come up with these trade offs. That's your decision. And taking money from already massively underfunded capital liabilities to afford an interim solution for a massively underfunded, ongoing expense doesn't solve any problems. I guess if the decision is truly between 20 curb ramps and a council that functions, I'm going to go with the council that functions and I think but we all know that's not the true decision here. It's not a split between the two. It's a multi-dimensional strategic priority setting across the entire city that you're doing. And it's a burden that we're unnecessarily putting it on the budget process itself. So my personal bottom line is I support the amendment primarily in the hopes that additional staffing will be of some assistance to the new council for sorting this out in the future.

Speaker: Thank you. Thank you. Commissioner Mapps, did you have a comment right now or is your commissioner Mapps.

Speaker: Yeah, I'm bill kinsey.

Speaker: I'm also on the list of people.

Speaker: Why don't we hear from bill and then.

Speaker: Yeah, that sounds right first.

Speaker: Well thank you, mayor.

Speaker: Yes, I'm joining terrorist because I'm also a member of the government transition advisory committee and currently serve as a co-chair.

Speaker: And I wanted to observe that our recommendations that we previously recently distributed include a recommendation for increased funding for the new City Council.

Speaker: And I wanted to make that observation. So thank you.

Speaker: Thank you, bill, and thank you both for your service. We appreciate it. We know you didn't get paid very well, and we know the hours were really long. So thank you.

Speaker: And our appreciation is mutual to all of you.

Speaker: Thank you.

Speaker: Commissioner Mapps sure gentlemen I appreciate you being here today. And in many ways, I think you've been put in an unfair position. I think there is a in fact, I know there's a consensus in this room that we all think that the next City Council should have adequate staff to do the work that they do, but the proposal on the table today is to pull dollars that have been earmarked to help people in wheelchairs, to help people with, you know, who are visually impaired. Today, we literally in the morning session declared today or sometime in the near future to be white cane safety day and the proposal on the table is to take half a million of those dollars. And to spend it on one time expenses in the new council offices for me, that's just a hard or it's not even a hard choice. I mean, just always going to lean into the ada public facing side. And it doesn't negate the sort of core values that you bring to this, but and that I think we all bring to this. But I frankly, I'm let me just say, I just remain unconvinced that the right way to fund future councils is on the backs of people in wheelchairs.

Speaker: Yeah. My only comment on that would be and I and I didn't hear this in the presentation earlier, but you have the budget process from you know, last spring and summer. Yeah. And I do not know what the budget allocation in that big budget goes towards curb ramps. What you're seeing today, I guess, is the money that sort of got left over from last year that you it's like bonus money to spend additionally on curb ramps. I mean that's my understanding of it as a kindergartner. But I stay well, stay tuned and watch this space.

Speaker: I'll tell you, the curb, the curb ramp, the necessity for curb ramps, and our needs to comply with this federal settlement. And frankly, the chronic and profoundly dysfunctional underfunding of our public infrastructure, especially our

transportation infrastructure, ain't going to go away before the end of the year. It's going to require every Portlander to lean in to this conversation very thoughtfully. And I appreciate your thoughtful engagement here today. You you're one of the reasons why the city works.

Speaker: Thank you. Commissioner Mapps. May I make a. Yeah, of course. This will be a personal. You know, personal. Yeah. It's not official, but just hearing if my personal view would be if there's been a settlement of a lawsuit, you do have an obligation. If transfer of the money meant that you were not going to be able to satisfy that obligation, I would advise fund that obligation. But I'm not hearing that this transfer is going to prevent that. I'm hearing that we're, you know, on schedule or on progress, and it's a set aside to try to figure out, you know, how you know how to fund it over the multiple years. I'm also thinking having adequate funding for staffing or for the new City Council helps to enable an effective City Council that can address the longer term obligations or, you know, the ways of funding ada and other obligations. But that's my personal thinking. From what I'm hearing in the discussion today.

Speaker: And I appreciate that. And everyone who knows me knows I'm a policy guy and I got brilliant people working on my staff who make visionary ideas a reality. And I'm also an infrastructure guy. So we build stuff in the real world, helps people get to where they want to go and how they how they want to get there. I think both are very important. And but I also will tell you, since up until very recently, getting these curbs built was one of my primary responsibilities, this is not a given, folks. This is why we went, we got sued. This is why we lost. And the only reason we were going to say compliance is if we have someone either in these chairs or those chairs trying to hold this county or this body accountable for fulfilling our basic legal obligations. And in tents, for example, we see that we don't

fulfill that all the time. All right. Thank you so much. I do appreciate your time and your wisdom. Thank you.

Speaker: Thank you both.

Speaker: Thank you. Mayor, we have one more testifier.

Speaker: That's it.

Speaker: Yes.

Speaker: Great. All right.

Speaker: Juliet. Hi. Online.

Speaker: Welcome, juliet.

Speaker: Thank you. Mayor. And council. Good afternoon. My name is juliet hymes and I live at 2320 fourth northwest marshall street. And I'm sorry I can't join you in person today, but my colleagues from the gtac just did an admirable job of discussing commissioner Ryan's motion. I'm joining them in supporting his motion. And although I haven't had time to study the details, I just got a pretty good idea of them. And I support the spirit of the motion. And in a similar to the points that my colleagues just made. And I will note that I'm testifying today on my own behalf, not as a member of the gtac. However, as terry pointed out, we're very familiar with this issue from serving on the committee, and we have repeatedly expressed concern about the minimal counselor staffing for next year. I have also heard the same concerns during my community outreach about the transition. This is a difficult decision. We both have to complete the curb ramps, but also support the charter and in a manner that will make it a success. And we're already committed to that. As well. So I think that commissioner Ryan's motion offers a way to make life easier for our next council, enhance service to their constituents, and support the success of our new charter. So thank you for your time.

Speaker: Thank you juliet. We appreciate your your being here virtually as well. Thank you.

Speaker: That completes testimony.

Speaker: All right. Very good. So we have now completed public testimony. Are there any is there more? Yes, jonas.

Speaker: Just related to the amendment. Mayor, I just wanted to make a couple of clarifications so folks understand. One is just I've heard staffing come up a couple times, and that's certainly a possible use. I just want to be clear, the amendment does not specifically identify a staffing as the appropriated intent. That's a decision that's made in the eo. But I just want to be clear that that's it's not called out specifically for staffing. This is a one time resource. And so it wouldn't be sort of without having some other packages associated with it wouldn't be typically used for a staffing, you know, short term through the remainder of the fiscal year, there would need to be some accommodation and thought about the ongoing funding. And so that's a conversation that will occur at that, at that future moment. But I just want to be clear about that because it's staffing has certainly come up a couple of times.

Speaker: I'm glad that you brought that up because this is something I have been wondering about, and we've had some conversation about what can you give me some examples of what it could be used for? Could I use it to go visit our sister cities or.

Speaker: Well, it could be used for staffing. I mean, let's be clear about that. It just I just want to be I just want to be transparent that that's not specifically called out in the language of the amendment. And that would be the a decision that would be gap funding for next year for the council and for the mayor's office.

Speaker: So they get to make decisions, commissioner, next year on how they would like to use this. What we're hearing from everyone is that they that we need more support for constituent services, which might identify where some of these ramps go.

Speaker: Well, absolutely. Who does decide this is a thing which I'm not I'm not quite clear on who will decide should this amendment pass how these dollars will get spent council.

Speaker: So I mean, I think we have a choice about how to budget them. I mean, I think they would just get budgeted generally in the council office bucket for the there's a new bucket for the new council that will take take their seats on January 1st. I think that they can sort of direct it within their budget for how they want to spend it. I mean, I think, I think if they wanted to create new positions, they would they would certainly have to come back to, to do that. So they wouldn't be able to just turn around and use this money to hire new staff.

Speaker: So are you going to divide the dollars amongst each council office? Does council come together and take a vote and said, this is how we're going to do it? Does the city administrator decide how we kind of disperse these dollars?

Speaker: So, I mean, if they want to come back and allocate the funding to use it specifically for staff, for example, they'd have to they'd have to probably bring another supplemental budget ordinance forward to do that, either in the eo or a separate ordinance. But but likely I think they'd have to they'd have to move some money around. I mean, there's some ability just administratively to move money without coming back to council. It just depends on what exactly they want to do with it. So we would probably just budget it right now in one bucket, and then it would be allocated out internally from there. But in order to hire staff, they'd

probably have to come back to do that. It depends. It depends on what they're trying to do with the money.

Speaker: So who is the they who gets to decide. Who decides. Is it all of council. So at some point council council office and the mayor.

Speaker: It's in the amendment that will that says where it's going to be spent.

Speaker: But that's who has the authority that is consistent with your. Yes, your understanding director. Okay. Great. Thank you.

Speaker: And then mayor and council, just a second. Just maybe a point a minor clarification. I believe the language of the amendment inadvertently says December 21st, and that should be December 31st. So I just wanted to clarify that. For the record, I assume that's why that was there.

Speaker: Yeah, correct. Told us to do that.

Speaker: So I have a couple of thoughts on this. First of all, I want to acknowledge I'm hearing outstanding arguments on both sides. That sounds like a cop out, but I'll get to an actual position in a moment. Commissioner Ryan is correct. The new council offices are likely understaffed, and I've been very transparent about that. I've, dan and I have had the conversation and I've had it with many people who are running for the City Council and there's a couple of reasons for that. Number one, I think it's incumbent upon the new City Council, once they have decided how they want to govern themselves and what committee structure they would like to enact for their own governance, and once they decide how they would like the constituent services model to work in the community, whether they need bricks and mortar offices or whether whether they will be doing something different in terms of going around the community and meeting people in different locations, that's really the will of the next council to determine once they make that determination, they have every right as a sitting City Council to bring forward an

alternative package to fund the council offices. However, they want. But the guidance I provided for this bump or this spring bump up, sorry, fall bump was fairly clear. And I also noted the fact that this is one time only funding. And if there's one area that we collectively myself included, trip up our budgets, it's we use one time only funding to fund ongoing positions because then it locks us in to a fiscal problem, which is no fun to resolve. Number two, just doing basic math. If this were to be staffing and I'm hearing it's not, which is probably good because it's only \$28,000 per office, it's not enough to hire anybody for any purpose. And so that doesn't make sense. So necessarily it's going to have to be some collective decision about a few positions. If it's positional and the council is going to have to decide who and where and how do those positions get created and where, who do they serve? Who do they report to? What function do they serve? I don't think that's a decision this council should make. Personally, that's just just me. But I will of course go with with the will of my colleagues. There are ways that these funds could help the next council as we have allocated them in this bump. The first is we know we have a fiscal cliff next year, and that is before we have completed our labor agreements, which are still outstanding and will eventually be closed and will then also have to be worked into the next fiscal year. Budget as an additional delta between the resources coming in and the cost of operations, which we currently experience, there are things that we could fund, like police overtime or the Portland street response. To me, those are higher priorities right now. In the heat of crisis than making a decision at the next council could actually make for themselves anytime they want. And so, frankly, I just feel like leaving that to them for this purpose. Commissioner Mapps I also agree with you on this, this settlement, and I want to be clear, it's not just that we reluctantly lost. We settled, which means we agreed to it. It wasn't forced upon us. We as a council said, this is what we are

committing to. And the I agree with commissioner Ryan that three \$400,000. It's de minimis to be perfectly honest. But the more we put it off, the more future councils are going to have to deal with it. As you get closer to the end of the 12 year time frame. So there's that as well. But I think commissioner Ryan brought this forth in good faith. I think his his reasoning that the next council should be well funded and our friends on gtac who agree with commissioner Ryan have good logic on their side, but I don't think this particular package solves any of those problems. And so I will be voting no. But I would encourage commissioner Ryan and gtac and I'm assuming commissioner Ryan will be here in full force. And gtac will put together a reasonable package that actually adequately funds the new City Council offices based on how they want to govern themselves. So that's just where I'm coming from. That's my headspace.

Speaker: Mayor, can I ask a follow up question?

Speaker: Of course. Commissioner.

Speaker: So in this bump, we're we're allocating a couple hundred for the mayor's office to I think, land to the chinese garden. Do you anticipate that's one time spend or ongoing?

Speaker: I'll have to defer to ruth. I think that's one time, isn't it?

Speaker: I that's not I don't mean from a technical perspective. I mean from the type of investments that we're making. What that's paying for is the need going to go beyond this year.

Speaker: I'll give you my supposition. Absolutely. Land to chinese garden is one of our major tourist attractions. It's in the heart of our city. It's an incredibly important cultural icon for the community, and it's in a tough location with a lot of issues. So we've had Portland solutions, the problem solvers. We've been working with the business community on lighting, on incentives with the police bureau, on the

mobile precinct unit, the local office, bike and walking patrols that we are making substantial investments as a council in the recovery of the zoo garden. And then so and the emergency there is that there there. The number of people coming through is down by about a third over the last couple of years. And so that's alarming to me. And I am pleased that this council has continued to make that a priority.

Speaker: And so then it leads to the technical question is the land dollars allocated? That's one time money.

Speaker: Yeah, just one time money.

Speaker: And so I guess I'm just calling out I completely follow your general point that we are often solving incrementally ongoing obligations with one time money. I mean, it's a bad habit and we do it all the time. I'm just submitting your office is doing that exactly in this bump with what you've done with land. Sue. So to I'm just seeing an incongruity in your in your position.

Speaker: I'll tell you where I've been consistent commissioner Gonzalez a very similar amendment to this one came forward to the City Council during the regular budget process. I voted it down for the same reasons, and that's why I will vote this one down.

Speaker: Yeah, it's just being consistent. You weren't consistent in how you funded. What you're clearly saying is going to be an ongoing obligation. The next government is going to inherit. Well, there's a difference.

Speaker: Let's let's be clear. You're a better attorney than I am and I concede it. I've always enjoyed it. I actually hope the land suit dollars are not ongoing. I hope that problem goes away. I just personally don't think it will. Whereas if I don't either. Where where is. You're right. I think we're on the same page there. Whereas if you hire somebody for a staffing position that is presumed to be ongoing indefinitely.

Speaker: Yeah. I mean, we can go back over the history of, you know, charter reform, implementation. All of the places we added cost in at this point, you know, we didn't have to do the capital spend, the cost of new council offices the way we did it. We chose to go with an expensive path at the recommendation of staff. We've added an incredible amount of overhead at the recommendation of staff. Those were not required, required by charter reform. And we're getting to the end of this process to the end of 24. And we've we've understaffed the new electeds. I'd argue on both both the legislation.

Speaker: They they have the ability if they so choose, when they come in, they can look at the entire \$8 billion city budget and say, we want to deprioritize something else and add several hundred thousand dollars to us as the electeds for our staffing support. They have that ability to do so just as we do. I and I say, why? Why get ahead of them? Let's let them decide for themselves.

Speaker: I just find the argument somewhat insincere. You made a number of choices for the next council, I believe.

Speaker: I'm very sincere. I'm just giving you my honest opinion based on the facts.

Speaker: And we also heard that we're waiting for the spring bump. We're not doing the spring bump.

Speaker: I didn't mean the spring bump. I if I said spring, I said, let me finish.

Speaker: We were we heard best practices to not have spring bump any longer. So for six months the City Council, new City Council, they can bring they can bring a supplemental budget anytime they want.

Speaker: They can bring it on their first meeting if they wish. Okay. You know that actually I haven't experienced a lot of that, that we bring that we try to insert something before a bump or the regular budget process.

Speaker: When did we first have this conversation? It was over a month ago, right, that we brought this to your attention, that we had this desire.

Speaker: Yeah. Commissioner, probably three, 3 to 4 weeks ago.

Speaker: Yeah. We asked for the carryover number, the bump in early September, and then you executed this. We would otherwise we wouldn't be having this conversation. Right. Okay. So we did make the request. It didn't make it so that we had to pull it out of something. Okay. Correct. I'm just saying that this isn't this hasn't been behind. This hasn't been sneaky. We've been talking to you about this for a few weeks. All right?

Speaker: I didn't get it as an exception request through the regular process, I think. But that may have been a.

Speaker: Yeah, we brought it up. Then a follow up meetings. We asked about it again, and then we had to take this action to follow through. And it's from just listening to community and g-tech. So here we are. I just again think it's a very thoughtful gesture. It gives a little bit of flexibility and an on ramp to build in some constituent services of some sort. We all are talking a lot about collaboration. Each district can have an allocation and figure it out. I agree with commissioner Gonzalez that we really did focus a lot on construction. I was on the record then saying, I think our offices are currently the ones we have are fine and we could save money by focusing more on staffing. So, you know, this journey has been rough. And I do think we all know at the end of it, we really shortchanged what the community wanted, which was more access to their electeds and more responsiveness from their electeds and so when people reflect on that, they said, well, how are we implementing that when we only have one staff member per elected? That's all. So we thought we'd give them a little bit of a grace and an on ramp on day one.

Speaker: Well, that was cheerful. Anything else? Call the roll on the amendment maps.

Speaker: Well, I appreciate this dialog. I think we talked about a lot of important things and a couple of things I'm confident of. I think certainly majority of folks on this council recognize that future statute or future councils will want will likely increase the size of their staffs, and that is their prerogative. I will also tell you, you know, if this if Ryan's amendment passes, you know, the headline in the newspapers tonight and tomorrow will be something like, you know, City Council pulls more than \$400,000 out of funds earmarked to help blind people and people in wheelchairs safely cross the streets in order to hire more staff or buy more stuff for your city hall offices. I think given the choice between direct service and frankly, growing, our administrative expenses are pretty straightforward on this one, you know, and I am also struck at this moment and a little bit agitated by the fact that literally this morning, this council came together for white cane safety day. And in my comments, I tried to remind folks that this is not just a that that disability issues are very much literally as a civil rights issue. Indeed. That's what the ada is all about. And just hours after proclaiming October 15th to be white cane safety day here in Portland, I certainly do not see myself pulling \$437,000 out of the funds that we have set aside to build curb cuts, which is why I vote no yea. Rubio.

Speaker: So I'm really torn here because I'm weighing the significance of the charter change and making sure that our new structure can get its legs and its first year. I really believe in that. I absolutely believe that we need more staff for council, and I really applaud commissioner Ryan for taking leadership to put the conversation on the table and being responsive. And Jack is correct about the underfunding and I really came into this completely expecting to go a different way. I think what's striking me are, is the number are the numbers that I'm hearing

about what our settlement requirements are and that we're behind. So I'm, I'm actively torn. I more have an issue with where we're pulling it from. And that's my one hesitation here because I do believe we need more staff for council offices. I, I think I because we're pulling it from this fund, I think I will vote to keep it where it is and would really support the council doing what it needs to do when it's when it's elected in January. So I vote no. Ryan.

Speaker: Yeah, well thank you everyone for taking the time to dig into this with me. I'm glad I brought this amendment and created this opportunity for dialog. I haven't heard much from you since I've been on council about this issue before, so thank you commissioner Mapps for finding your voice today. I find this false narrative to be a bit disingenuous today, but we do obviously need to have more discussion about the city's long term compliance with ada settlement. I appreciate everyone who participated in the white cane safety day at council. I know curb cuts and the wide range of street treatments necessary to ensure full access for Americans with disabilities are vital for Portland. I'll be an advocate for that always. However, I want to be clear with Portlanders, with my colleagues, my amendment does not impact ada compliance with the construction of new infrastructure in the first six months of next year. The city has nine years to comply with ada settlement. As interim manager, Jordan said 437,000 represents 20 ramps out of 18,000 ramps Portland needs to build in the next ten years. Excuse me, the 437,000 I want to move into 2025 is what our elected offices and fellow commissioners and the mayor under spent last fiscal year. That's all. That's what it is. And we are the privilege of this underspending of our budgets. And I want to pay that privilege forward to the 2025 City Council. I believe that 437,000 will be better spent in the short term to engage constituents during the government transition and to help the

new City Council navigate their first ever budget in a completely unprecedented political landscape.

Speaker: I vote yea Gonzalez I appreciate the discussion.

Speaker: I think at times, however, there's been some double standards applied in how we approach ongoing versus one time. I hear a lot of preaching and a lot of not walking the walk on that subject, including in the preparation of this year's budget. But I vote yea Wheeler.

Speaker: A lot of things I could say, but I'm not going to. Instead, I'm going to point out the hard work that our budget team put into this. I want to thank you all once again for your tremendous effort. And I'll have more to say when we get to the final vote. But I also hope the new council is watching this, because I want you to understand that what you're walking into is a never ending series of hard choices, and as I have thought about prioritizing this budget, I don't think I've been disingenuous at all.

Speaker: I think I've been crystal clear for years about what my priorities are public safety, homelessness, livability, and economic success and recovery for our city and that is where I have prioritized my funds.

Speaker: I remember it was either my first or my second year as county chair. The economy was in a tailspin and we were laying people off left and right, and I took a massive pay cut because I wanted to make sure we could continue to support our frontline services. I felt that the elected offices should come somewhere near the end of our priorities. When it came to what we were doing. Folks, as you come into this office, the first thing you're going to notice isn't that you're understaffed. What you're going to notice is that you have a shortage of police support in our community. You're going to notice that you have massive overtime because we have staffing issues in our fire bureau. You're going to notice strong public pressure

to fund Portland street response fully and full time. You're going to have to address livability issues. And we all hear multiple times each and every day, including today, about the homeless crisis on our street and how it is being exacerbated by substance use disorder and a lack of support for people with pervasive mental health issues. Those will become your priorities. As I've been very honest in saying yes, I think you will be understaffed, but I will also tell you, I think this council is understaffed. I think our bureaus are understaffed. We talk about 911 callers being, in short supply. We talk about cops being in short supply. We talk about people even in our infrastructure bureaus being in short supply. We talk about the people who manage emergencies in this community. Being in short supply. We're all understaffed. We all have too much to do because we're a city that is experiencing an unprecedented number of simultaneous worst case scenario crises, and so we all have to step up. But again, on the gentler side, when you become a city commissioner and you have voted for a council president and you have decided which committees you want to create, and you've had a chance to evaluate what the staffing requirements are, and I hope gtac will continue to work with the new commissioners to help create that structure. You will have every ability, whenever you want to bring forth the budget that supports the vision you have for the governance structure. What we've created is a placeholder for you. You have to finish the job that is on you, and you will be able to bring a supplemental budget forward. But I want to warn you, in order to do it, you're going to have to figure out what doesn't get funded and because we're a public body, you're going to have to have that discussion like we did today in public about what you are not prioritizing. If you are prioritizing expanding your own staff. I vote no. The amendment fails. Can I get a motion to adopt the fall supplemental budget? So moved commissioner

Gonzalez moves? Can I get a second, second commissioner Mapps second any further discussion? Please call the roll Mapps.

Speaker: I want to thank the mayor. My colleagues and budget staff for all the work that went into all the work and all the conversation that went into this year's budget. It is a tight budget cycle, that's for sure. I also want to specifically acknowledge and recognize commissioner Ryan for his creative attempts to find resources for pressing public needs. We very much disagree on that particular proposal, but I appreciated our discussion, and it kind of highlights the trade offs that policymakers have to make in tough times. I believe this bump will leave our next council in a strong position to weather some turbulent times, which is why I vote yea yea. Rubio.

Speaker: Thank you to the entire budget team for all of your hard work and your presentation on this bump. Also, to anthony and hale and putting this together as we're rapidly approaching our transition in the midst of this tough economic picture for our city, it's really complex work and we're really lucky to have such a dedicated team. So I vote yea Ryan, I Gonzalez notwithstanding the conversation that we just had on staffing at the elected level and a certain extent at the administrative level, I do want to call out that we continue to have structural deficits in public safety, in particular in Portland police and Portland fire.

Speaker: We do not have straight line staffing sufficient to properly manage either of those bureaus yet, and it's going to take a number of years to build that up. I look forward to a time where we don't have to address overtime as much as we do, and bump processes, but it's not going to be overnight there. And I think I'm going to leave it at that. I vote yea mueller.

Speaker: This is my 24th and final budget that I will vote on, and I can't honestly tell anybody here. I'm sorry about that. I have benefited from outstanding budget

teams over the entirety of my mayoral term, and I think we have the most solid budget team here in front of us today. And I really appreciate the great work you and your team members who are not here today that you do each day, each and every day. I also want to appreciate my colleagues. Yes, we have tough conversations on this dais and we dare to disagree. It's not one of those things where we all get in the same room and we all say the same things, and we agree on everything all the time. If you hear your elected officials stand in front of you and agree on everything all the time, you have a serious problem with your democracy. And I like the fact that we bring up tough issues. We have direct conversations, we highlight differences of opinion, and we cast our votes, and we go on to the next day as we will today. So I want to thank my colleagues and their staffs for their hard work on this fall. Supplemental budget. I vote I and the budget is adopted. The emergency ordinance passes. Thank you. We're adjourned.

Portland City Council Meeting Closed Caption File

October 10, 2024 – 2:00 p.m.

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Speaker: All right, everybody. Good afternoon. It's 2 p.m. Today's date is October 10th, 2024. This is an afternoon session of the Portland City Council. Rebecca. Good afternoon. Please call the roll.

Speaker: Good afternoon. Maps here. Yea. Rubio. Here. Ryan. Here. Gonzalez here. Wheeler, here.

Speaker: Now, we'll hear from legal counsel on the rules of order and decorum. Good afternoon.

Speaker: Good afternoon. Welcome to the Portland City Council to testify before council in person or virtually. You must sign up in advance on the council agenda at Portland governance council agenda. Information on engaging with City Council can be found on the on the council clerk's web page. The presiding officer preserves order and decorum during the City Council meetings. The presiding officer determines the length of testimony. Individuals generally have three minutes to testify unless otherwise stated. A timer will indicate when your time is done. Disruptive conduct, such as shouting. Refusing to conclude your testimony when your time is up or interrupting others testimony or council deliberations will not be allowed. If you cause a disruption, a warning will be given. Further disruption will result in ejection from the meeting. Anyone who fails to leave once ejected is subject to arrest for trespass. Additionally, council may take a short recess and

reconvene virtually. Your testimony should address the matter being considered when testifying one. State your name for the record. Your address is not necessary to disclose. If you are a lobbyist. If you are representing an organization, please identify it. Three testifiers for testifiers joining virtually, please unmute yourself. Once the council clerk calls your name.

Speaker: Thank you. All right. Thank you very much, rebecca. We have one item this afternoon, eight, six, seven. It's a resolution.

Speaker: Accept the future keller collaboration team recommendation to pursue a strategy to develop two Broadway capable venues, avoiding a prolonged closure of the Keller Auditorium while greenlighting the path ahead for a market feasibility analysis and subsequent financing strategy.

Speaker: Colleagues, this afternoon's item brings us to the result of 56 days of intense and focused collaboration. I want to acknowledge and remind folks that this council directed staff on what I think was a very brief timeline to come back and present to us. We tasked teams with finding a way to merge the original proposals from the Hans the Halprin Landscape Conservancy, as well as Portland State University, with the goal of potentially creating a unified vision that enhances performance opportunities while also delivering cultural and economic benefits to all Portlanders. I am extremely pleased to see a joint proposal in front of us today, and I'm eager to hear more of the final details. I invite deputy city administrator Danny Olivera and Charity Montes, who's the director of our office of arts and culture, to introduce the resolution before you. Welcome.

Speaker: Thank you, Mayor. Good afternoon, Commissioners Daniel Olivera for the record, today, we're joining you after a audacious task was given to us. It was at times tricky and fraught. But the thing that rang true throughout the entire process was we were working with a group of people from the Halprin Landscape

conservancy and Portland state university that truly give a about the city of Portland. They leaned in, they put aside the competition that we had set on their path before, and they said, let's work together with the city of Portland to find a pathway forward to truly provide an exceptional proposal with a lot more work to do. Don't want to bury the lead there that sets a course for future keller that really enhances what the city is really about. Working together, collaborating and doing what's right for the city. Next slide please. So this resolution as the mayor outlines, is really asking this council to give us further direction, but really plan a north star for what's possible. So we're going to outline the problem statement that we were originally solving for with the keller walk through the background of the process we went through and that 45 day sprint provide some additional context that the mayor gave us to help really focus in on our work. And then charity is going to walk through the findings of our time together. And we're, of course, invited our colleagues from hlc and psu to provide their input on their process and experience. I can't stress this enough, commissioners. This is a really important moment in this process, but there's still a long way to go. And so we're looking for your direction on our next steps. Next slide please. So again what were we solving for with this original task. As a reminder, in 2020, the city conducted a seismic report that essentially said that the renovations are needed for modern safety standards. We need to upgrade our guest amenities. The backstage facilities, and ultimately revisit our production systems for a more modern experience. But more importantly than that, this was an opportunity for us to revision how we bring entertainment and arts and culture to our city. So instead of just looking at a renovation, we said, what might the future of keller look like? Next slide please. This is an old deck. All right. I want to just note that along the way, we actually can go to the next slide, please. Thanks. So what we're going to come back to that one clark. Just fyi. So the next

step was on August 14th. We came to you with a proposal instead of having this council make a decision without with incomplete information, we said, what if what if we actually had the two teams work together that were working on the west side of the river to come up with a collaborative solution on a keller project? So at your direction, city staff work to work with stakeholders from both teams, and we eventually brought in some additional partners and subject matter experts to develop the proposal. Before you today. The team worked on a real tight timeline. I can't stress this enough. This was a 45 day team sprint that took a lot of storming and norming to get to the point we are today, but in truth, we came up with a collaborative solution that everybody's proud of and look forward to sharing more about that with you in a second. Next slide please. So just a little bit of background. We brought on a local facilitator, ben duncan from kearns and west. I want to give ben a lot of kudos for his steady hand throughout the process. We started with some engagement agreements to ensure that we really went from two competitors, if you will, to one team. And during those early meetings, we really sought to have the teams really bring their visionary and expertise to this process. Along the way, with the meetings we developed a shared vision, we developed group consensus and ultimately started to dive into what this potential process would look like for a future. Keller. There was a brainstorming process. We had subcommittees that will walk through in a second, and really start to identify what was the opportunity here. So again, we're not just solving for the keller. We're also solving for a broader culture and culture, vibrant community downtown and our overall economic prosperity. Next slide please. It was it was clear early on that we needed a little bit more sideboard on on this process. So the mayor gave us some additional direction was really foundational. But also crystallized what we were going to be getting done in the next 45 days or the 45 days of the project. First and foremost, the mayor

directed us to think of a solution that was collaborative in nature that really activated the entire Halprin sequence with the Keller facility and the PSU property. At the end of the sequence, we realized we were on a tight timeline, but I really wanted to unpack that. The potential of that, that area. We also heard loud and clear from this council that you were expecting us to look at a site that included financing, sequencing, ensuring that we had seismically secure venues that could host Broadway shows so that we would have, you know, the continuing continuation of the program that's there today. And the last, which was an evolution of the conversation that was really important to this. And I really want to highlight this. We heard loud and clear from external partners and from you all that we would try to get this done without any extended disruptions to the existing programming. We wanted to ensure this was a process that resulted in no loss of service and opportunities for our labor groups, but frankly continued the Broadway and arts and performance culture of our city. The recommendation before you includes these details and charity walk those. Walk through those with you in a minute. We also again had the timeline of getting back to you all today, because we want to continue to move this project forward. Next slide please. So as we got into the process, we and the team had formed, we said, all right, what are the four areas that we need to target to be responsive to council's direction. And so we landed on these four buckets. There was a market demand subcommittee formed financing a group formed. We also had a group that came together to talk about the sequencing, how we would go about developing this, this robust and audacious proposal. And we heard loud and clear from Commissioner Ryan and Rubio that the climate impacts of anything we did had to be taken into align with city values. And so we evaluated that as well. Next slide please. I think oh yeah. Can we go back. Sorry I'm sorry Claire, can we go back to one one more.

Speaker: All right I want to before we dive into the proposal.

Speaker: This is something I really want to make sure we hit very clearly along the way. We heard about the potential of what we would do if we had to shut down the keller for renovation. And so clearly, we needed an alternative temporary venue. And so we dug in, staff started to evaluate a list of venues, our local venues, as you can see, including two that don't even exist yet. That would be the live nation venue and the central east side. And the potential aeg venue at lloyd center in short, none of these venues have the technical capacity or capabilities to host Broadway. We. This is an exhibit in your packet that can break down the analysis of these. But we did evaluate had lots of conversations to do that. So that's the presentation. Can we bring the presentation back up please. Oh. Okay. Okay okay. And I'm going to hand it over to Jerry to talk about the specifics of the project.

Speaker: Thank you donny. Good afternoon, Mayor and Commissioners for the record, my name is Charity Montez, and I'm the director of the Office of Arts and Culture in the vibrant community service area. After nearly 20 hours of in-person meetings, our combined project team landed on one collaborative proposal for the Council to consider, namely moving forward with two Broadway capable venues, including a new build at the PSU site and a renovation at the existing Keller site. Additional recommendations from the project team include conducting a market feasibility analysis to inform market supply and demand, and determine appropriate seat counts for the two venues. Conducting traffic studies for both sites to understand development impacts, and to inform options for developing a third Avenue street plaza at the Keller site. Initiating funding asks and then last but not least, launching a core project team and steering committee to keep the work moving forward. Next slide please. As DCA Oliveira mentioned earlier, the combined project team formed subcommittees to examine four key components of the

project in greater detail, and I'd like to share the findings from each of those subcommittees. First, I led the market demand subcommittee with karen whitman from halprin landscape conservancy and sara schwartz from psu foundation. This subcommittee also invited subject matter experts to the table, including leadership from metro visitor venues, Portland, five centers for the arts, the Portland five resident companies including the opera, ballet symphony and Oregon children's theater and Broadway. Across America. And I can't emphasize enough how valuable it was to have all of those stakeholders at the table. We had very animated discussions. We asked two fundamental questions. One, can Portland support two venues with the production capabilities to accommodate Broadway performances and two, what size performing arts venues are needed in our city? The resounding conclusion of these discussions was the need for more information in the form of a market feasibility analysis. The scope of this analysis would include defining the Portland market to determine our regional draw, considering market demand from the perspective of both the audiences and the performing arts. Presenters and evaluating market supply by looking at current and planned venues in Portland, the outcomes of the market feasibility analysis would also inform recommendations on the ideal seating capacity and operational models for each venue. In this proposal, and here I want to be clear that recommendations from this market feasibility study are looking at the long term future state where we have two Broadway capable venues. We recognize that there is a more immediate need to support our performing arts organizations and our venues, and we are having a separate but parallel conversation to that end. And the office of arts and culture will bring a resolution to council later this month to consider current and near-term operations, maintenance and planning for our performing arts venues. Next slide please. So the finance subcommittee was led by don forsythe from psu and bob nadeau from

hoffman landscape conservancy, with support from Carlisle and Spectator Venues. And Andrew Fitzpatrick, formerly of the Mayor's office. Additional subject matter expertise was provided by Broadway Across America and Maria Moran, an expert in philanthropic gifting with the PSU Foundation. The first thing to know about this slide is that this information is conceptual and very preliminary. This is not the final calculus, and these numbers will move the Finance Subcommittee combined. What we know about the two proposals right now identified potential sources of funding and estimated different asks of local, state and federal funds, as well as philanthropic opportunities. I also want to point out these numbers are already reduced from what you saw earlier this year by about 20%, and that reflecting simpler construction and a smaller academic hall at the PSU site, and a timeline that doesn't have to be expedited for the Keller renovation. So that saves some funds that way. Across the top, you'll see the renovated Keller site and the new city owned venue at PSU, and the first two columns in the totals in blue. Then there are some PSU specific elements of the proposal, including a smaller academic auditorium and a parking structure. Those are totaled in green. And then finally, there are a couple of optional PSU specific elements of a hotel convention center and a co-located local arts organization building, and those are highlighted in orange. Overall, the potential financial mix includes local obligation bonds, tax increment financing, revenue bonds, PCF funds, local improvement district funds, state appropriations, state bonds, individual gifts, and corporate and foundation giving. For some of these sources of funding, having two projects doubles the ask, but for other sources like TIF and state funding, having two projects helps leverage opportunities. For example, PSU as an academic institution has access to state bonds that the city doesn't have access to for just the Keller renovation. At the same time, it's really incredible to have these two teams working together for the full suite of financing

options. They are both powerhouses, as you already know, and the opportunity for Halprin and PSU to join forces with regard to private philanthropy is a really exciting prospect. As we move forward. And then finally looking at the bottom right total investment, most of that would not come from city funds. Instead, this combined proposal would leverage external investments, resulting in a really big vision and a big investment in the arts. And in downtown Portland. Next slide please. The sequencing subcommittee was led by Eric Noll from PSU and John Russell from Halprin Landscape Conservancy. Additional subject matter expertise was provided by Broadway Across America and Nancy Straining, capital project manager at Metro. This slide shows how all of those big numbers that you just saw are going to play out over time, and this is a very long horizon. The team identified three phases over the next seven years: planning and development, which is the phase that we are currently in now, pre-construction and construction, and then construction and post-construction. And the first thing to note is that programming at the Keller continues for years as we work through planning and development for both sites and as we work through construction of the new Broadway-capable venue at the PSU site, the Keller Auditorium would not close for renovations until after the new PSU site opens and starts hosting Broadway and other large format performances, so you can see the sequencing starts with working on development agreements, public engagement and design, as well as financing options for both sites in tandem, which is why this moment is so important, because you're giving direction to the teams as we move forward together. Next slide please. The climate impact subcommittee was led by Jason Franklin from PSU and Scott Andrews from Halprin, and included subject matter experts from the Bureau of Planning and Sustainability. This subcommittee found that carbon emissions are measured through a couple of ways: embodied carbon associated with the materials used to

construct a building, and operational carbon, generally from heating and powering a building over its lifetime, the subcommittee also determined that without specific design details for each venue, a life cycle carbon analysis cannot be completed. However, the variables that can affect the life cycle climate impacts of buildings include hvac, performance, and performing arts. Venues have unique heating and cooling demands. Seismic retrofits. Renovation requires steel reinforcements. It can substantially increase the climate impact of a building, glazing and deconstruction versus demolition a renovation that complies with the city's deconstruction ordinance will have a lower carbon footprint than one that sends only sends demo materials to the landfill. So you can see that there are several considerations in construction, renovation and long term operations that would reduce carbon emissions, enhance sustainability, and help meet the city's 2030 and 2050 climate goals. But perhaps most importantly, as new construction or major renovations of city owned buildings, these venues would be required to meet the city's green building policy, which requires leed gold certification or living building building status. Energy savings above and beyond the requirements of the Oregon energy efficiency specialty code and on site renewable energy systems. And then the good news is that one of the next steps that we'll be doing is taking on traffic studies that will further illuminate the climate benefits of these two centrally located venues. And last but not least, I would also like to thank commissioners Rubio and Ryan for their leadership on making sure that this project upholds the city's commitments to climate justice and environmental protections. Next slide, please. At this time, I'd like to turn it over to our invited guests, sarah schwartz, president and ceo of the psu foundation, and bob nadeau, co-chair of halprin landscape conservancy, to share their experiences collaborating with the project team. Thank.

Speaker: Good afternoon. I'm Sarah Schwartz, president of the PSU Foundation. I think as you all know by now, I'm a fundraiser, a theater geek, and an unrelentingly positive thinker. So for the last year, since the moment the city of Portland sought out Portland State and asked us to consider submitting a proposal for a Broadway-capable performing arts complex on the PSU campus, I've been having the time of my life. Today, I want to thank City Council and my colleagues on the Keller collaboration team for the honor of helping represent Portland State in what has turned out to be one of the most consequential conversations of my career about a decision that will impact our incredible city for generations to come, toward a time when our grandchildren will simply take it for granted that Portland is the coolest place to be, a place bursting with creative energy, cultural vitality, and a can-do spirit. Set in one of the most beautiful, natural landscapes anywhere. Mayor Wheeler, thank you for convening city staff, PSU and the Halprin Landscape Conservancy. Six weeks ago, asking us to work together, along with Metro and arts organizations, to collectively recommend a plan for how to approach site selection, development, sequencing and financing to avoid all the negative impacts of a prolonged Keller closure. I believe that together we have done that: offering our consensus recommendation that both the PSU site and the Keller block be developed in sequence as Broadway-capable venues as part of an intentional, larger strategy. Once the PSU site opens its doors, the Keller site will begin redevelopment. Spanning these two terrific new amenities, the historic Halprin sequence of pedestrian parks and fountains will come to life, and at the end of the day, our region will have a vibrant arts, culture, education and entertainment district upon which to stake downtown Portland's prosperity. And we will also have a new narrative about our city's fortunes and future. Today, on behalf of PSU, I also want to offer a sincere thank you to city staff, especially Carlisle, Lauren Broudy

charity montes and megan ruth for the many hours you dedicated so that psu, the halprin landscape conservancy and our other partners could come together to develop this path forward. Our team is excited to work alongside you on this next stage of this project. There is more work to be done, but this resolution represents a significant milestone in our partnership. Of course, the question people will now ask is can Portland do this? Is it possible? It absolutely is. It is perhaps natural at times of uncertainty to fall into scarcity thinking, to be satisfied with small but bright futures demand bold visions and big projects. We know Portland can do this because cities like ours across the country have embraced bold and one. They have done it, and we can too. For instance, there's the incredible doctor phillips center for performing arts in orlando, florida. Four linked venues conceived and designed to break down barriers in the arts. Built by the city of orlando with major philanthropic investment and overseen by an independent nonprofit, there's the tennessee performing arts center in nashville, tennessee, currently being reimaged as a new facility on nashville's east bank with two spectacular venues and community spaces. State owned and operated. Because from the get go, the center was understood as a project of statewide cultural significance. There's also the arizona state university gammage on the asu campus in tempe, a self-sustaining business and university revenue generator. The gammage is run with the heart of a nonprofit to serve the public, engage students of all ages, and to train tomorrow's theater's workforce. What these national model projects all have in common is that their backers bet bold. They started with clear visions and over time attracted partners beyond the arts partners with the wealth, resources and experience to invest in their success. Their coalitions of funders included private investors, corporate sponsors, state and federal entities, show presenters, universities, grantmaking foundations, philanthropists, and community members.

These cities did not go it alone, and our city won't either. We at psu are committed to a comprehensive funding strategy to lean into bold. We are committed to fundraising for the psu owned spaces to serve students of all ages, and to build the theater arts workforce, and we have signed on to be the city of Portland's capital construction partner for the venues to be built on campus as downtown's most active developer over the last decade, we are the natural choice to move ahead with what's next. As we continue to say, Portland state will always take a seat at the table for critical conversations about Portland. We know that our futures are inextricably linked, but we're not just talking. We're taking action. Over the summer, I kept hearing from my theater friends about cats, the jellicle ball, a radical reimagining of andrew lloyd webber's cats, one of the least likely and most successful theatrical ventures of all time. The show originated at the perelman performing arts center, a theater in lower manhattan where the twin towers once stood and perhaps one of the most significant locations ever for urban reconstruction and renewal. It was staged in a theater featuring emergent artists under the direction of bill rauch, former creative director of the Oregon shakespeare theater. By all accounts, jellicle ball was joyful and transporting the kind of show that brings people together and sends them back into the world, charged and changed the kind of show that Oregonians deserve to see right here in Portland. So today, I will leave you with this quote from grizabella from the original cats as she gazed hopefully toward a bright future. Look, a new day has begun. Thank you.

Speaker: Please, mayor Wheeler. Commissioners, my name is bob naito. I'm reminded of the hearing the last time I was here back in may, and I remember the mayor having a conversation with president cud about. Isn't there a way that we could make this a win for everybody? And I also remember my comments at the

end of the hearing during the public testimony where I talked about a win win win for everybody. And I think we're here partly in the mayor's spirit of finding a solution that we can all support. We applaud the decision to move ahead with a reimagined, renovated keller auditorium, removing the cloud of uncertainty and committing to the future of this beloved, profitable venue is the right decision for the future of Portland's arts and culture, economy and the future of downtown. Seven years ago, well before the current problems in downtown Portland and well before the pandemic, john russell had the vision to recognize the keller as the civic treasure that it is, and to advocate for its world class reinvention. Scott andrews, our co-chair, has devoted countless hours directing hlc's work on the keller project. Trust me, we wouldn't be here today without the two of them. I want to also, in addition to thanking john and scott, I would like to thank our board, the many community organizations, and the individuals who have advocated for the keller auditorium. The faster we get to work on the 21st century keller by renovating the auditorium and creating a new public plaza on third avenue. And I know you were all there when we turned the fountain back on and know how much fun it was not to have the traffic going across in front of the auditorium. The sooner we get started, the sooner we'll have an even greater catalyst for civic pride in downtown revitalization. And we need that revitalization now. While the feasibility and the profitability of the keller is well known, the financial viability of a second venue of similar size and capabilities in Portland is not. And I think we all acknowledge that. That's why this market feasibility study is so important. We need to demonstrate the need and demonstrate that we can put in my business, we talk about in the hotel business, putting heads in beds. We're talking about putting butts in seats. We need to know that this is going to work, because we're going to have to manage it. Charity going forward for many, many years. While this study is going forward,

while these exciting possibilities for the psu site and the second auditorium are studied, we encourage the city to green light and fund the necessary steps to advance the full scale renovation of the keller. It would be a mistake to delay progress on the keller and as charity I think, said, both projects need to move forward in parallel following our testimony, you can expect a letter from us detailing the specific city actions that we believe are necessary to build upon what's already been accomplished. While tremendous visioning has been done, the real hard work of planning, designing and engineering a reimagined keller inside and out must now begin this will include competitive selection of architects, engineers, contractors, in-depth consultations with the keller's users, the workers at the keller, the patrons, the neighbors, the traffic studies that I hear were going to pursue are just a few of the things that need to happen. Out of an abundance of caution, we also believe it would be wise for the city to continue to explore temporary venue options just because the construction if the construction of a new venue at psu gets delayed, or for some reason doesn't move forward, we all can agree no one wants the performers, the workers and the arts organizations that put on those performances in our local economy harmed by a keller renovation. I think that's why we're here. And part of what's motivating this collaboration today. As we have in the past, halprin landscape conservancy is ready to do our part to that end, we absolutely support the appointment of a steering committee to oversee both the planning of the proposed new venue at psu and the next steps in the development of the keller. Look, a lot of work and you've heard about it today has been done over 45 days in this collaborative process. I was at most of those by or semiweekly three hour meetings while we worked on this project. We need to keep that momentum going. There's a lot of things happening in the city. There's a lot of things happening in this country that are going to take up the news and the our

available time, and so it's really important that you to take the lead, put this steering committee together, and we start functioning as soon as possible. Number one is that market study, the traffic study. These things can move forward. But we don't want to lose the momentum if we're going to as we go into 2025. Finally, the resolution you have before you today represents a big win for Portland, for our arts and culture economy and for everyone from across the city and the region who come to downtown Portland for shows, concerts and memory making special events. Portland is turning the corner, and as we've all learned from recent polls, a renovated Keller is an important part of our comeback. Thank you.

Speaker: Thank you.

Speaker: Samir, that that wraps our presentation so we can take questions or go to testimony. Your prerogative.

Speaker: Great. Before, before everybody departs, let me express my personal gratitude. Thank you for your comments today. But more importantly, thank you for the hard work that you put into this. I know this was not an easy task, and I know we gave you very little time to complete it and you all dug in and you worked together as fellow community members. Should you brought the best of what you have to offer to the table, and you've come back with a proposal that I think is compelling, visionary and eminently doable, provided that we keep pushing hard in the years ahead. So long way of saying thank you, appreciate it very, very much. And thank you for your kind comments this morning.

Speaker: Colleagues questions why they're up there.

Speaker: Sure. Yeah. Commissioner Ryan sure.

Speaker: I agree with everything the mayor just said.

Speaker: Donnie, when we were talking about temporary venues, I thought I heard you say that you looked at all these options, and there aren't any. Is that correct?

Speaker: Correct. Commissioner, we staff worked connected with the different venue operators, some of which, you know, we work closely with, and it's not necessarily the capacity. It's the technical capabilities of the stages around the city to host Broadway shows. So we're talking about stage sides, the, the riggings. It's just they're just not feasible right now.

Speaker: Okay. And then if I heard you correctly, bob, you said that we should continue to explore temporary should we still explore this?

Speaker: Well, I think if I think you need to have a plan b, or at least the concept of a plan. Okay. So and I think isn't this fun.

Speaker: Yeah.

Speaker: That's fine. And I think there are. I think there are options out there. There are at least one proposal that could bring a temporary, basically erect a temporary facility. Nothing is going to be perfect. But I think if we had just gone ahead with the Keller renovation, we'd be all rowing as hard as we could to make something work, to keep the theater open or keep a theater open in the interim and I just think it's just common sense to keep looking. Okay.

Speaker: Donnie just shook his head like that. Okay, thanks. I just want to clarify that moment.

Speaker: Great. How many folks do we have signed up? Rebecca?

Speaker: We have ten people signed up.

Speaker: All right. Perfect. Thank you. You can take a breather. Go ahead. Three minutes each. Name for the record? Sure.

Speaker: Marion debardeleben. Marion.

Speaker: Sorry. Right there. Welcome. Thank you for being here.

Speaker: Good afternoon. My name is Marion debardeleben and I am a resident of downtown. You may recall earlier this year I asked for your vote to keep the

keller where it is in its current location across from another Portland treasure, the keller fountain. As with any city, our size, you as our elected council, must find ways to address our current issues of homelessness, addiction, the mental health crisis which has led the businesses and residents leaving our city and harming our tax base. So considering what actions will signal a brighter future should be your major priority. I have heard and reviewed presentations by psu concerning their proposal, including the presentation made before this council. As a resident who regularly uses public transit running along lincoln street, I have significant concerns about the feasibility of such a project. Additionally, psu proposal places significantly greater financial burdens on Portland citizens, especially if the state finds this proposal beyond the scope of psu. Primary mission, which is education. I still support the renovation proposal. However, if you decide to move forward with the proposed collaboration, please don't delay moving forward with the keller renovation unless psu can demonstrate the feasibility of its proposal in short order, and if it cannot, the halpern landscape conservancy's iconic design and proposal stands ready to move rapidly. More move more rapidly forward with accountability, resilience and citizen loyalty. I just have another personal note location, location, location, psu. I notice has empty lots on market. Just saying thank you. Thank you.

Speaker: Next is emily horton. Welcome.

Speaker: Thank you for being here.

Speaker: My name is emily horton. I'm a resident of Portland. I'm also a performing arts professional and a stagehand in the city of Portland. I work backstage at the keller auditorium, and I hope to work backstage at the new psu venue first. I wanted to thank all of you mayor, councilors, city workers. I want to thank you for taking the time and creating the space to foster this essential collaboration between psu, halperin, and the city of Portland. As an arts

professional, I understand how time consuming and challenging the choice to collaborate is. It's a choice to take more time and to work harder. The arts, by nature, are a collaborative art form, and without making the choice to work harder and communicate better, we cannot produce world class arts and culture. The choice to build a safe ecosystem open to collaboration is not lost on the stagehands of local 28. We collaborate daily to bring you the world class arts and entertainment you enjoy. Iatse local 28 supports the further exploration and development of two world class, Broadway capable venues in central Portland. With the current booking levels of five venues the Moda Center and Portland State University. In addition to the new Live Nation venue, it is clear that Portland can support more venues today. Right now, we can support more venues with the new housing developments in both central Portland as well as the suburban communities that continue to grow, the need for arts and culture and the venues to house them will continue to grow as well. Let's continue to work together to build Portland's reputation as a world class destination without causing harm to the workers or arts groups through prolonged closures. Today on my walk here, I was fortunate enough to walk past the proposed PSU site and cut through a corner of the Halprin sequence and past the Lovejoy fountain, and I'm thrilled at the possibility of incorporating all of these spaces. They're they're underused in downtown Portland, and they're beautiful, and they can really be revitalized. Thank you. Thank you.

Speaker: Margo Howell, welcome.

Speaker: Mayor Wheeler and commissioners, my name is Margo Howell. I'm a downtown resident. I own a small business downtown, and I'm a board member of the downtown neighborhood association. The DNA, the DNA appreciates the hard work by the city. The Halprin Landscape Conservancy and Portland State University, which has resulted in this proposed resolution. While supportive, the DNA urges the

city to establish a six month timetable. Very aggressive for independent feasibility and marketing study, an independent traffic study exploring the impacts on downtown Portland of locating a major facility on Lincoln Street, and the feasibility of PSU hypothetical funding path. Urgency is critical for the rejuvenation of the Portland downtown area. If the PSU proposal proves to be not viable, either due to logistics or financial constraints, it's important for the city to receive that information as soon as possible, not after a substantial delay. Certainly, it can be of great benefit to the city to have a collaboration between the downtown's preeminent educational facility and the renovation of its preeminent performing arts center, the beloved Keller. But such a collaboration should not create major delays that proceeding with the Keller proposal could prevent restoring the Keller's 3000 seat performance facility is crucial. Portland needs wins now, not long delays that ultimately result in no progress moving forward. So please establish a clear and urgent schedule for these projects. We also urge the council to approve funding for the above studies to ensure their independence. Thank you. Thank you.

Speaker: Rich Jaffe.

Speaker: Welcome. Thanks for being here. Rich.

Speaker: Mayor Wheeler, Commissioner Gonzalez, Mapps, Ryan, and Rubio, for the record, my name is Rich Jaffe, CEO of Broadway Across America.

Speaker: We present Broadway shows in 48 markets across North America and have been bringing Broadway to Portland for over 30 years. Our local partner has been the Portland Opera since the very early days. When I was first here working on a show, I immediately understood the magic of Portland. That was 25 years ago. Today, that magic remains, and I see clearly how the arts can be a catalyst to drive Portland's future. Broadway shows create excitement, energy, and jobs. In Portland, we have grown our base of subscribers to over 19,000, and our shows are

consistently selling out. More than 50% of this audience is coming from outside of the city. These are post covid numbers. The point is, Broadway is thriving in this city and it makes Portland stand out to the touring Broadway industry. In fact, even when compared to much larger cities, Portland ranks third in the country when it comes to average weekly attendance. We think we can continue to grow this audience if capacity allows for growth. As a user of the Keller Auditorium, we've engaged as a neutral partner in conversations about the future of Portland's arts, culture and economy. We did not endorse one project over another. This is the city's decision to make. Our role is to partner with the city of Portland as the presenter of Broadway shows, and in that capacity, provide information based on our experience in Portland and other cities to help Portland maximize this opportunity for the city's future economic impact and cultural identity. In this role, we strongly endorse the market feasibility analysis and a two venue concept so shows can continue to come to Portland when the Keller is under renovation. In our experience in other cities, as presenters, operators and building owners, the market feasibility analysis will help the city understand the collective need for all of the arts organizations in the city, including the users of the five city owned venues. This way, the city can plan for the right size and kinds of venues that will support the long term growth and sustainability of live performing arts in Portland. The vision for both a new venue and a renovated Keller is ambitious, and the kind of project that can revitalize the city. We've seen it happen time and again. When cities invest in the arts, it pays dividends for generations to come. We are committed to Portland for the long term. We are excited about what the future holds, and we want to continue our partnership with the city. To support your vision and goals for a robust, sustainable, equitable arts ecosystem and economy. Thank you.

Speaker: Thank you and rich. We appreciate your partnership. And we look forward to continuing to work with you as this unfolds. Your insights and your expertise are going to become particularly important to us. So thank you and thanks for being here today.

Speaker: Thank you very much. We're happy to partner you in any way. Thank you.

Speaker: Sue dixon. Hi, sue.

Speaker: Good afternoon, mayor Wheeler and city commissioners. I'm sue dixon, general director and ceo of Portland opera. Thank you for the opportunity to speak today and for your leadership in guiding this important process for revitalizing downtown and the keller auditorium. We appreciate the city's recognition of the vital role that arts and culture play in maintaining a vibrant, inclusive, and thriving urban center. And for the analysis that has gone into evaluating the future of keller auditorium, Portland opera has been engaged in various phases of this process. We want to thank you for acknowledging the need for collaborative efforts in designing and conceptualizing a space that supports arts organizations like ours, which rely on the venue for large scale productions. We appreciate the council recognizing that a closure would have a devastating impact on us and the resident art organizations, especially since there are no alternate venues that could support opera on a grand scale. We especially appreciate the inclusion of our organization in the latest discussions and want to ensure that we, along with other resident companies, remain an integral part of these conversations as decisions are made, the technical requirements for performing arts spaces are complex, as the project progresses, it is imperative you remain open to all the user's input. This includes the labor force that works backstage and front of house. Our experience as users of the space gives us a unique perspective, and we want to help ensure that the outcome supports the artistic and logistical needs of our entire community. The

current state of the keller auditorium is inadequate for the needs of a 21st century, large scale theatrical production. As we proceed, we must be forward thinking to ensure a vibrant performing arts center that guides us into the 22nd century. We want to express our full support for this resolution, specifically, the need of a market feasibility study. We look forward to continued involvement as the project moves forward, as I trust that this collaborative effort will lead to the best possible outcome for the city, the arts community and all Portlanders. Thank you for your time, your partnership, and your commitment to the city's future. Thank you, emily ford.

Speaker: Welcome.

Speaker: Thanks for being here.

Speaker: My name is emily ford and I am the president of psu. Aaup, the full time faculty union at Portland state university representing around 1200 faculty and academic professionals. Mayor Wheeler, councilors. I am deeply disappointed to read that the proposed resolution sitting before you regarding the keller ignores the testimony given to you at the August 14th meeting. Unions from academic leader labor to the building trades, aaup, seiu, psu, liuna, iatse, and the carpenters offered testimony about the need for any replacement of keller to be fully staffed, built, and maintained by labor. Further testimony showed deep concern about job stability for workers at the university place hotel. I stated labor concerns need to be central to the committee's discussions and integrated into its report and proposed developments unveiled in October. Yet the only mention of labor services in the market feasibility study, which is now being proposed to be expedited, thoughtful considerations and collaborations with labor should not be expedited. It is deeply concerning that labor was not included in the collaborative process touted by kearns and west. Labor is deeply concerned about the members of this governing

bodies dedication to supporting Portland residents who make Portland a livable and thriving city. This council would do well to internalize the union adage, nothing about us without us. Earlier this week, psu president and cud's administration noted academic units on campus, those providing mission critical teaching to our students and research to the Portland community of the need to cut \$12.5 million for the next fiscal year. This will result in layoffs, the size of which this university has never seen. All the while, the president's administration seeks financial support from salem, from the city of Portland, totaling around \$300 million to fund steel and concrete. Not students, not professors who cannot afford to live in the city where they work. Not advisors, some of whom have caseloads of over 800 students, not researchers who bring tens of millions of dollars in grant funding yet face systemic job instability impacting family and life planning. It is the workers who make the city vibrant. It is not concrete and steel. Amidst president cuts funding request amidst the purported financial austerity at the university, administration has not made meaningful headway in its collective bargaining with the graduate employees organization, who recently went into mediation. Nor has her administration made meaningful headway with psu. Aaup does the city want to invest in a university that is on the verge of serious labor unrest? Does the city consider financial priorities of the university's board of trustees over the needs of the workers and the over 21,000 students who make downtown vibrant? Over 100 of our members are going to the polls this November, will be reminding them which candidates advocating for the teaching, working and learning conditions of our students, colleagues and community deserve and candidates advocated for developers needs.

Speaker: Thank you. Thank you for being here.

Speaker: Dave sweeney.

Speaker: Welcome, dave. Thanks.

Speaker: Hope I don't get gone.

Speaker: All right, mr. Mayor.

Speaker: Councilors, my name is dave sweeney. I'm the former chief meteorologist at koin-tv, a 23 year resident of sherwood and a self-avowed theater geek. Since I was in high school, which was a few years ago. With all due respect, I think you're answering asking the wrong question. It's not. Do we need two broadway capable venues? I don't believe we do. The question is, what do you do with the land that keller sits on? It's about 1.09 acres footprint for one floor, 48,000ft², almost three floors, 143,000ft² for 191. Keep those numbers in mind. What I think you need to create is a destination attraction that will bring people not just from the Portland metro area, but from the region and even the country. Psu suggested a children's museum when they spoke to you in may with their presentation. I would suggest an iconic world class children's museum. Another idea I had was an olympic swimming and diving center, and before you ask, yes, there's enough room. The footprint is 249ft by 192ft. A pool is 165 by 82ft. A diving pool is 60 by 75. Another one a permanent immersive experience center. Think the van gogh experience that was here in 2021 and will be back next month. There's a company, there's a number of them that produce these things permanent ones. There's one in albuquerque that put an experience in albuquerque, vegas, denver, dallas and houston, and they're building one in la. Biggest one of those six is in denver with four stories, 90,000. Only 90,000ft² and 70 immersive experiences in nine months. They attracted 1 million visitors. What did it cost to build \$60 million? The least expensive estimate to revitalize keller was 236. Lastly, an Oregon wine and craft beer experience. Bless you. Oregon has 1100 plus wineries, 300 plus craft breweries. First floor on this 48,000ft² totally devoted to the Oregon wine industry. Second floor totally devoted

to the craft beer industry. 48,003rd floor conference rooms, auditorium, tasting room for education demonstrations, and one hell of a bar promoting Oregon wine and Oregon beer. So the question really is what are you going to do with that keller space? And once you answer that question, then you go and build a spectacular brand new, world class performing arts complex at psu. I got extra time for five other possible ideas. Oregon museum of agriculture, an animation experience, a natural history museum of the pacific northwest, an olympic climbing facility, and an artificial intelligence experience which would be changing all the time. That's all I got. Fabulous. Thank you. Bravo.

Speaker: You're welcome.

Speaker: Thank you for being here.

Speaker: Dean barnett.

Speaker: Somebody had to follow that.

Speaker: Reality.

Speaker: Thank you for being here.

Speaker: Mr. Mayor, City Councilman, I am dean barnett. I live on lincoln. My breakfast view is lincoln. And is that busy intersection there? It's where those thoughts that I want to tell you, I very much approve of this resolution. I think all of you should. As well. I also see the renovated keller as being once relevant, renovated. Far too nice to turn into a swimming pool. Now we look forward to working with the city and psu to turn this exciting, inclusive vision into reality. It goes for the revitalization that we all talk about, but when I look at the possibilities of Portland state that venue on lincoln is hamstrung by lincoln street. That doesn't mean that we have to can the whole idea what it does mean is that we've asked psu, we have asked the keller group for detailed planning to get on it, make it urgent, and I suggest that the city has a role. If we are going to make that street that

we have. Lincoln is currently a convergence of public transportation with a courtesy single lane to serve the housing on each side. So when we have in, it often happens with four bus lanes, when we have two busses, we have a train stop and then either a truck or as many as two cars. We end up with a traffic jam expecting something on the order of 1000 to 1200 cars to go with a major performance. I suspect we'll have a lot of traffic jam, so I suggest we need the city and pbot to be very serious about how that traffic can be addressed, and it has to be done before we can proceed with the other plans. Thank you, thank you.

Speaker: Appreciate it sir. Thank you.

Speaker: Diana Stewart. Welcome.

Speaker: Good afternoon.

Speaker: Good afternoon, Mr. Mayor. City Council members. My name is Diana Stewart. I live in the River Place community, and I'm a downtown neighborhood board association member. But I'm here on my own behalf. Today I prepared four minutes of testimony, which I would have delivered in three minutes. But out of pity for all of you, I'm going to give you my reader's digest condensed version number one. Collaboration is a wonderful process when it produces a good product. Number two, the time spent in collaboration is worth it. When the product is worth it, three makes. Let's make sure that the PSU project is doable before we delay the win. That the downtown Portland needs that visionary proposal that the Halprin landscape conservancy has provided for. Please ensure an independent city pays for it. If necessary. Viability and marketability. Study five. Prepare an independent traffic study. Can Lincoln accommodate all of the produced traffic of PSU proposal without creating a nightmare for public transit, local residents and businesses six set up a steering committee. Please include the downtown neighborhood association as a representative of residents, businesses and students. And having

just heard the compelling testimony of the labor representative, please include a labor representative on that steering committee as well. Seven protect workers and the arts organizations from a potential shutdown. If psu proposal is not feasible. Look to alternative temporary performance centers even if they're not perfect, even if they don't have full capacity, even if they may not accommodate every single show that Broadway would want to bring, so that, if not feasible, we can move forward with a proposal as soon as possible without sacrificing the finances of both organizations and workers. Please just don't kick this project down the road. Please make these important decisions and make sure that this project moves forward with urgency. Thank you very much. Thank you.

Speaker: Rosetta Venitucci.

Speaker: Hi Rosetta, thank you for being here again.

Speaker: I don't think I'm going to be as funny as the other guy though. Hi Rosetta Venitucci pronouns she/her I am the business representative for IATSE Local 28. I represent workers at the Broadway shows PSU Lincoln Hall, etc, everybody pretty much in town right now. We're in the middle of October. Sorry, I'm a little tired and short here, but I wanted to make sure I came and saw you and I'm sorry I didn't welcome you. Mayor Wheeler. And all collaboration is the key. When I first heard about artists and labor being left out of the conversation, as you know, I couldn't stay calm. And I flew off the handle. There was not any collaboration. It was time to get wicked, release the monkeys and defy gravity. Then the collaboration started. This I know this. We do every day. There would be no live entertainment without collaboration. We can't make live entertainment without designers and everyone collaborating. There's a lot of talk about the money. You know, it took millions of dollars to make one Broadway show over many years. I think these Broadway shows should have the respect of us making sure that we rebuild their home with

the right amount of money and the right amount of time. The building at psu is going to bring incredible education opportunities. I am in this career because of my studies at psu, lincoln hall auditorium. No shutdown is the best option. Thank you for not making more homeless stagehands. We barely made it through the pandemic. We're still trying our best. We're not there yet. I still have another minute to chat at you. It's busy out there. There is plenty of shows, plenty of things to do to have more buildings. There are more ted talks. It sounds like some wine tasting might even happen. I think we could still do that with multiple buildings. So I really appreciate all of you voting yes today because I think the path we're on now is the right path. Talking together, working it out and not leaving anybody out of the equation. It sounds like we still have a lot of things to figure out. It's not perfect yet. It never will be, but it's better than what I heard before. So thank you.

Speaker: Thank you for being here.

Speaker: That concludes testimony.

Speaker: Thank you. All right, colleagues, that concludes our public testimony. And first of all, I just want to acknowledge how much I appreciate the public testimony we heard today. It was, well informed. It was diverse in some cases. It was actually very funny, which I do appreciate this late in the day. So thank you for that as well. And again, what comes through loudly and clearly, regardless of where people stand on this issue, is the passion people have for this community, the passion people have for the performing arts, and we heard various perspectives on that today. And I'm very appreciative of that. Colleagues questions.

Speaker: Sir, I have a couple commissioner Mapps.

Speaker: Thank you. Great presentation. And I also want to thank everyone who testified on the items before us today. And I think the work that's been done here has been quite good. I think it moves the conversation forward, although I do have

a couple of questions about, I think some fairly plausible scenarios. So what do we do if we conduct this market study and the results come back and show that there's not enough demand for two Broadway capable theaters?

Speaker: I thank you for the question, commissioner Daniel. For the record. So, commissioner, we're coming from a place of, we'll say, early analysis by some real key subject matter experts, our resident partners, resident arts companies, national developers who work in this space that are signaling that Portland is rich in arts and culture. But also it's a magnet area for the region. So really, the market feasibility study is, is almost assuming the two venue scenario. The question is what is the appropriate capacity of each of those venues. We really want to start to unpack the appropriate seat size. So it's we're almost hedging that we're looking at two venues. And now it's really about size and capacity.

Speaker: Okay. I can also remember one of the reasons why I asked this is I can remember a moment not too long ago when our city's history, where I think the conventional wisdom said Portland needs more hotels. And we spent a couple of years building many a whole lot of hotel rooms, and then the world changed. And I think there are lessons to be learned there. I don't know how that scenario applies to the one before us today, but it's certainly something I think about as I think about the questions and options before us. The second question, which I wanted to get some clarification on, has to deal with the funding stack for the PSU venue. So I think that's about \$358 million or something like that, roughly like that in 100, 100 million of that comes from bonds from the state. Can you tell me what's the process for getting the state to approve those bonds? Is that something that goes to the state legislature, has to go to the state legislature and ask, hey, Eric, come on. Yeah.

Speaker: Can we ask Eric Noll to answer that question?

Speaker: Who are you?

Speaker: Good afternoon, mayor Wheeler. Commissioner Mapps, thank you for the question. For the record, Eric Noll, director of regional government relations for Portland State University. It's a process that we lead up to every long legislative session. So in the calendar right now, we are three, three and a half months away from the start of the 2025 state legislative session. And understanding the full timeline of this project and the sequencing, let's also understand that we have a couple of those long legislative sessions ahead of us. In preparing a bonding, ask for the legislature. We start by working backwards from when that decision is made. The state in their long sessions will receive a quarterly forecast in May that will define the final numbers that they have to spend, and will define how much bonding capacity they have. And functionally, the last couple of weeks of session become a decision by legislative leadership. The presiding officers of both chambers, the co-chairs of the ways and means committee, and other key leaders working up to that point. There are other key milestones, like the co-chairs recommended framework that comes out in March. The governor's recommended budget that comes out in December prior. And so really we start the process of advocating for state bonding in any long session, 9 to 12 months in advance of the session. And this is where elements like coalition work and having partnership and collaboration and unified vision are really helpful. And then we look to our partners to meet with elected officials, state legislators in particular, the summer prior heading into the fall, the governor's office and really triangulating levels of support so that when we come into session and we engage in the full advocacy strategy to land those bonds, I'll tell you, right before I was at this session, I was doing an event where a bunch of state legislators were there.

Speaker: Amongst the things that they were talking about was the major themes for the state legislature. The long session that's coming up. And this wasn't on the list. You know, I think we're going to spend a lot of time talking about transportation and maybe housing or a couple of other other things. What happens should the legislature come together and for reasons of capacity, either capacity being defined in terms of time or bonding ability, we don't get this. We don't get the approval for this bond out of this next long session. Does that what do we do in that situation, commissioner?

Speaker: That's a great question. And it's a really important one. Any large project requires a number a number of elements to go right. Yeah, right. For our purposes in this legislative session, psu has been working since the beginning of this calendar year to tee up a request for article g bonds for the academic theater space in our concept, we also look forward to engaging in conversations with the city's government relations team over the next coming or next couple of months. As we work on the financial details of this, this resolution and this plan to put all of these bonding requests and capital items and funding on a timeline. Right. And so while you may not have heard feedback that general obligation bonding is on the table for the city's portion of the venue this session, we've certainly engaged a lot of partners and have teed up for success a bonding request for the psu portion that will begin to catalyze the entire project, and that includes conversations with the governor's office, legislative leadership, leadership of the ways and means committee, and are well positioned to do that. I would also add, while I have the platform here, that psu has a really strong track record of success in securing academic bonds for our buildings in the last ten years, we've acquired just over \$339 million in bonding for six major projects on our campus.

Speaker: I'm delighted to hear that. And I do see, I was just taking a look at some of the bonds that you folks currently have out, and it does seem really plausible to me that you could get that 100 million in bonding, but this will be my last question. One of the other scenarios I've seen in Oregon, in situations like this, where universities trying to take out bonds for some project, I think there's an analogous one around building a cancer center. I think the university came forward and said a different university than yours came forward and said, we need \$100 million in bonds. I think the state legislature came back and said, we'll let you issue \$70 million in bonds. And have we thought about how, if that were to come, how that would impact the dynamics of our decision making and process that we stood up?

Speaker: Yeah, commissioner, that's also a really important question. And consideration for us. And specific to the academic bond request for the smaller psu theater that would result in a conversation about scope and size and amenities. Right. And noting that we have multiple legislative sessions along this project timeline, opportunities for multiple bites of the apple and opportunities to engage as part of a comprehensive philanthropic strategy to say, well, we didn't achieve quite this level. What are other levels we can pull to achieve the goal? And so that's that's where a joint financial strategy, comprehensive fundraising strategy and a capital stack that represents many different funding sources gives us an advantage in, over this time frame, securing the necessary funds, even if we have to pivot at different moments in this project timeline.

Speaker: Okay, commissioner, I'm going to add that because I think you're asking a question. And thank you, eric, for the answer that is that is really landed on why we're here today and why this is so important at this moment in time. Your direction would allow us to partner with with psu and the helprin team to really crystallize a vision that we can start our fundraising efforts for. Because you're

right, you are asking questions that are absolutely valid, that many of these what we shared in the presentation, which is exhibit g, is just a potential like what if scenario based on some like, you know, educated information. But any one of these potential sources of funding could, could, you know, go sideways. So we have to have a team together as quickly as possible to crystallize that vision and then begin the fundraising and the strategy, because it is a it is a long game. This isn't going to be funded in year one. If you remember the development structure and our sequencing, it's a multi-year investment strategy. Psu just happens to be the first out of the gate because they have an option at the state that the city doesn't necessarily have this year. This excuse me, this ledge session. So you are asking the question that we're trying to solve going forward by pulling together the right people from the city, psu, halperin and others who are interested to help us make this vision a reality.

Speaker: Thank you very much. One last question and sorry to do this to you, mike. It might go might go to you. One of the other policy issues I am struggling with in this space is what do we do with the keller in terms of asset management. So we have an asset in the in the keller. We all know that there's important work that needs to be done to maintain it for earthquake reasons. And I think lots of other reasons too. There's sort of a path forward here into when we can get to that, although there are some unknown unknowns right here. And so one of my concerns, and you've heard me talk about the need for the city to do better at asset management for a long time, especially for our hard infrastructure. In terms of maintaining the assets we have, you know, right now the plan is let's build a new building and then we can come back and do the maintenance that we need. We know we need to do and cannot get out of on the on the keller. I'm just wondering if that is actually an asset management. Is that a meaningful and responsible asset

management strategy? Is there something else that we should be doing here just in terms of taking care of this building? Because in some ways, I think in terms of the basic maintenance that we need, we know we need to do here no matter what it feels a little bit like we're kicking the can down the road. But I will defer to your larger, deeper experience.

Speaker: Ask a considerably challenging and complex question, commissioner, which is great. We have challenges with lots of our assets, and I think what you have before you is a proposal about a path to actually renovate keller. And I will tell you very frankly, I don't have another path in front of me right now that doesn't mean we couldn't create one. I think this is a way to get your head around how you develop, a way to make keller a viable asset. It currently needs a significant investment. We all know that. And so I obviously, you've just asked, as donny mentioned, a lot of the right questions about this proposal. And I would I couldn't really say that it is much more than a proposal to you today with a number of next level questions that need to be answered. And I sense basically that the resolution before you is go answer those questions. Now, if the answers become really problematic, I think the council can always pivot and just go to keller. It's your asset to do what you need to do to it. And I think the proposal says, here's a way to do something really important for the city, which includes a proposal to manage that asset at keller. So are there lots of questions unanswered? Absolutely. I think the proposal before you is let us go see if we can answer those questions. Right. Not without risk. No question.

Speaker: Thank you. I appreciate that. No more questions for now.

Speaker: Okay. Very good.

Speaker: Anybody else? Yeah.

Speaker: Commissioner Ryan I'm going to I couldn't tell if commissioner Mapps question got answered in terms of what if the feasibility study comes back and it says one is enough, could we do this? How about if you put up the one that shows the plan, like the scenario, the timeline, one that slide? Yeah, yeah.

Speaker: The sequencing side. Yeah.

Speaker: And when we look at that can you explain like the world seems perfect with this plan here. So it means everything goes well in the state legislature. Just explain what this plan is saying. So we as a council have an idea of what are those moments in time where we have to again, come back and actually make decisions. It's a great question right now. I mean, it's hard to say I'm going to vote yes on this. Okay. No mystery there, but I want to put some teeth to the timeline. And so now the timeline is up. Tell me what the scenario entails so that this works.

Speaker: So this was designed by the team to give you all a snapshot of a scenario that we are going to pursue. There's a lot of moving parts. But to answer your question directly, it's not just the market feasibility study that we need to complete. We have two traffic studies that are sorely missing. Oh yes, there's one decisions. So there is a scenario that we do a traffic study and pbot comes back and says there's just no way to solve for the challenges of lincoln. I'm just making this up right now. They can also come back and say, there's no way that we can solve for vacating third avenue for the keller site. That's good. Those are interesting to hear is what? And commissioner, sorry, can't answer your question. Yes. Is there's a non-zero chance that we do a market feasibility study and says actually, city of Portland, you're a one venue town now, all of our subject matter experts to this point are signaling that that's not the case. And so we're pursuing this, and we are including external consultants and developers who who do this, this is their their thing.

They're saying we see Portland's future because remember, we're not just solving for literally tomorrow, but 30 years, 40 years out that this is a two venue town.

Speaker: Okay, that was helpful. And I want you to give me the optimistic scenario because this is an optimistic timeline. So tell me what all falls into place so that this happens.

Speaker: Well, we get a yes today. We do market feasibility. We get clarity on the size of the venues. We're producing. Psu gets big wins in 2025. Salem down in salem this session.

Speaker: Yeah.

Speaker: Our philanthropic and activities are wildly successful for the private investments, both from the psu side and the halperin side to start to build that capital stack, we get to bob's point earlier. We're accelerating the timeline for, you know, finalizing design review for the keller site. Psu breaks ground and in 2027 and we're off.

Speaker: That was helpful to me. I hope it was to all of you. So I think that's what I needed to hear. Exactly what milestones need to be hit. Yeah. And so I think what you're saying is we come back in how many months to see what happened with the next step, which is market feasibility and the results in salem legislative session. Yeah, we probably have big things coming up at a spring, probably come back to council in spring with the updated studies and sort of the capital stack scenario, because the resolution also directs us to put together that finance and development team, which we made up of psu, halperin, the resident companies, labor partners to really start to again crystallize.

Speaker: It's hard to start asking people for financing and funding without a project. So you're really giving us that direction here.

Speaker: Now I get why today is important, I really do. I just want to track what this was saying and what had to happen to make this realistic. And you were being realistic that we would get perhaps different information and then we'll have to make different decisions as we go along. That could happen. Correct. And I appreciate that you've said you're going to include labor at the table, and I hope the labor people heard that. Okay, I'm going to pivot to something else that is, I don't even think it's an elephant in the room. I think it's an elephant that's dancing around here in the middle of the table. Someone out there could probably have a musical line to bring that home. We have this thing called p5 merc metro, and I haven't heard from one arts resident residency here in this city. Large midsize that have said it's workable. So we have a system right now, an operational system that isn't working. So what we experience up here, I can't be the only one who's taken those meetings from our arts residencies. Again, both big and small, that say it doesn't matter what you build, we just can't afford to perform in your facilities any longer. You're performing halls are too expensive. We're all struggling and so is that part of this plan. And if not, where do we insert that high charity high commissioner really great question.

Speaker: And I alluded to this earlier that this is so the market feasibility study. That's part of this current resolution for the future of keller is really looking at that, differentiating the two Broadway capable venue sizes and what that future demand is. The office of arts and culture is working with metro to bring forward a resolution for council to consider later this month. We will be considering the current and near-term management and operations and maintenance of the existing p5 structure, and I think that that is one of the things that our you know, when we brought the resident companies in to talk with us about this process, they were very clear that we can have just like you said, we can have all of

the venues we want and in 7 to 10 years. But if we're not able to operate and perform and present in our existing venues because it's too expensive and we have a problem right now, so we recognize that we have a very immediate and near-term concern. And that's for it also gets a little bit to the question that commissioner Mapps asked about maintenance. There are venues of this size and performing arts centers of this size often function because of subsidies, because there are there are other things going into the system, not just the rents to the resident companies. Right now, the commercial acts are really, you know, the Broadway shows and the concerts and the comedy are really offsetting some of those costs. And they they bring about half of the revenue needed to operate the p5 buildings. We. So I think there are going to be a lot of really interesting conversations and some further direction from this council about what our priorities are and what our goals are for how we operate and maintain those buildings. And we are looking forward to having that conversation with metro, with our partners at p5 and with the resident companies.

Speaker: So I heard that you're coming back in a few weeks on this specific topic. Yes, I still have a suggestion that it should be included in this lovely graphic here because it's so systemic, it's so connected to the success of where we're going that it's disingenuous to not include it in this timeline.

Speaker: Thank you for that feedback. We think that it's possible that the work that we do in the near term is going to say, here's a, here's an operational model, and that it might again pivot when the new venues are open based on the further market feasibility study. So, so you'll consider that suggestion.

Speaker: Yes. Yes. Yeah. And then I think the traffic feasibility studies that have been brought up by everybody, where does that fit in this lovely sequencing.

Speaker: That's a good question. We'll add this to the to the graph. It's in the resolution commissioner, but it's just not in the graph. I just don't we all we can.

Speaker: So it's really lovely to have them all things that have been discussed today that should be in the equation if we can have it on this one pager. Absolutely. Less is more. Yeah. Easy.

Speaker: Edit thank you for that.

Speaker: And we can keep our vision on our eye on the prize because there's urgency to this. And there's people that have been working their tails off on this for years. And we've heard loud and clear we don't want delays. And we're being big enough to know that we want to be helpful to our our partners at psu. And so that's wonderful. And we can walk and chew gum at the same time. But let's not keep delaying. And we will delay if we don't have those major pinch points on this study on this sequencing. Does that make sense?

Speaker: Absolutely. The recommendation is accepted and appreciated. Thank you.

Speaker: All right. Thanks. Commissioner Mapps.

Speaker: As long as we're on this slide I'm taking I'm looking at the row that shows us when we're going to be out there doing permitting for both land use and the building phase, which I think looks like it's supposed to stretch from early 2026 through 2029. So about three years or so of permitting. Do you see what I'm looking at? Yes. Thank you. And you know, there's a whole bunch for this project in particular. There's a whole bunch of things that we don't control. But permitting is one. It's one space where we do have some influence over what goes on. And i'll tell you, as council's infrastructure guy, you know, we've got several mega mega projects that are about to launch in this city over the course of the coming weeks, months and years. And one of the things that's just really driving the cost of these

projects, especially when you get up into the billions of dollars and frankly, we kind of have about a billion dollars of shovel work in play. Here is how long it takes to get those permits out the door. So one of the things that I sure hope that the city does, and you're kind of in a key position to, to influence this, is really to look at shrinking that permitting window. It will save literally the folks on this side of the table money. It will save our friends at psu dollars. And it's one of the few places where we actually can control our fate. You know, I don't know how many people are going to want to go see Broadway. The shows 12 years from now, but I know that if we worked wisely with the folks who work in this building, we could probably shorten the permitting time. And that's, I think, all I have, Mr. Mayor. Or do you have anything to say, Donny or Commissioner?

Speaker: I thank you so much for naming that I agree. I happen to know a guy who's involved in the permitting process of our city right now. I would I think this was a conservative assessment intentionally, because we didn't want to overstate, but I, I based on things that are happening in real time in our in our city with permitting some early wins of examples of how we can expedite. I feel like we can absolutely shrink that timeline down. But again, we were we were being conservative out of respect for pragmatism. Got it.

Speaker: Great. Commissioner Gonzalez just a couple of quick questions related to fiscal year 25.

Speaker: Impact, budget wise and operationally.

Speaker: And I'm honing in on that because I'm recognizing this vision is really dependent on a number of contingencies being satisfied. And they are not insignificant contingencies. So I'm going to be supportive of the of what's been articulated today. But recognizing there are a lot of scenarios that could play out where we end up with something very different than what we're talking about

today. So for fiscal year 2025, we have a feasibility study coming online. Is there any other and what do we think that's going to run traffic.

Speaker: No please. You say something. Oh commissioner, thank you for the question. We have currently budgeted in this fiscal year for the transportation studies and this feasibility study for fiscal year 24, 24, 25. Yeah, we're leveraging existing one time resources to the tune of about \$100,000 for all three. Okay. It may be a little bit more for the feasibility study. I think it's that's one of those questions like, how big do we want the study to be? But let's just let's just say 100 k because that's what we have. Right now. And that's and then going forward, there isn't going to be any capital commitments from the city out of the gate. However, there may be some the timeline may require us to put some resources in for design. I think bob had mentioned you know, the city's responsibility to keep the design for the renovation going. So we'd evaluate the cost for that in 2526. But we're not looking at any substantial capital costs coming online in 25, 26. Sure.

Speaker: And so, I mean, I'm just playing through how this project might play out in the next 18 months to two years. So we're doing a feasibility study. I guess the next bucket is whether we have the in-house talent or do we need to supplement expertise to guide us here. And again, I'd ask the same questions about baseball or the future of the blazers. I mean, we're playing big ball here. And just have you guys given any thought? Do we need to bring in outside expertise to supplement the very talented team we already have? Yes. Yeah. Any idea what that looks like yet, or is it still too early to tell?

Speaker: I think thank you for the question, commissioner. There's a couple of things at play here that the feasibility studies we have the talent in-house that can complete those. And at the same time, we'll start to see where psu is at on their, you know, their development timeline. And then frankly, once we start moving

forward with our own asset, we own keller for the record, we'll need to start putting that in play. Capital asset management team and sarah morrissey shop. And also looking at we have to put the resources behind the keller. So the team that's working with government relations on a potential future bond, I mean, these are questions that need to be answered. So as we start to build out our internal team, we'll do a gap analysis. And I think you're you're naming the thing is, the city of Portland is a major city that is looking at major investments, whether it be a potential baseball team, a renovated motor, a world class arts theater center that requires additional talent. That's just the nature of growing as a city and some of the articulation of steering committees and the resolution we that that would be relatively nominal to support from a budgetary perspective in the next 18 months to two years.

Speaker: Yes. And in terms of current operations at the keller, we don't anticipate any dramatic shifts in the next 18 months to two years with the plan articulated here.

Speaker: Not with the plan articulated here. I think we do want to make sure that we're looking at that. The other resolution I referenced and the shorter term study, to look at the operations and governance of the p5 system absolutely, fully grant that have some separate dynamics there.

Speaker: And, you know, we've I think we've all engaged with broadway across America. Just understanding the booking timeline when does ambiguity here start to be a challenge. And when is it not a challenge?

Speaker: Yeah, I mean, we could ask broadway to come address that, but I do know that their their current contract with metro goes through 2032. And they're currently booking in 2020 out to 2028. So there are that is part of why we asked broadway to be part of that sequencing team to look at really like, how long does it

take after the new site opens, before you could move operations, there? And there are strategies for things like double booking and holding space and being able to adjust and pivot to the new location when it's open. And we definitely are taking that into consideration. But we do have representatives from Broadway here, if you'd like them to address the question.

Speaker: Only if I mean, I maybe at high level, I don't know that I need to. I just want to start to visualize when this starts to become a challenge. So one, you know, if you have a short answer, that'd be great. I.

Speaker: Look at you, give you a yes we charity was correct.

Speaker: I mean, we book, you know, it's typically 2 to 3 years out. It can be five years out for the big shows. I mean we have wicked opening next week. We already know, you know, approximately when that will come back. So yes, uncertainty about the longer term booking process is definitely a challenge for us. But what's been laid out today does alleviate those concerns. As charity referenced, when we've had scenarios of renovations of buildings in the past, the construction delays, what we end up doing when there's an alternate venue to go into is that you hold both buildings. So that you make sure that the building construction delays have not impacted what you're planning on doing, and you have an alternate place to play. That's generally been the problem. Or challenge that we've had with this conversation is that when the construction causes delays, then we have nowhere to go. It's a multi, multi million dollar problem. So that is the thing that we've been trying to avoid. And I feel like the resolution that's put forth today resolves that problem.

Speaker: And I guess the last really question there when we think about the workforce and what they've gone through in recent years, the overhang that that has on that, you know, professionals in that space, I guess I'm just wondering what

can we be doing as a, as a city here to also address as much ambiguity as we can and give as much certainty to the folks that are really dependent on the facility being open.

Speaker: And maybe at the end, maybe it's the same answer, right?

Speaker: It's the same answer.

Speaker: It's continuity. I think continuity provides consistent employment for the skilled workforce that's in Portland and allows us to book the shows.

Speaker: Okay. Thank you.

Speaker: That's all.

Speaker: Could I ask one just follow up and I'm sorry, it's slightly irrelevant, but if it's a three year planning cycle, how do you slot in new shows?

Speaker: So the it's basically what's playing today will be touring in two years. So we'll ultimately we'll start to look at those things. Then there's continuing tours. So the shows that are going to go out in the 2526 season, many of them will play in the 2627 season. They can't get to every city in a year. So they come around and they come around and then they come back. So many titles continue its Broadway across America, so most of them start presumably in New York City.

Speaker: And aren't you fully booked?

Speaker: I mean, there's 41 theaters in New York that are defined, 41 theaters in New York to define what Broadway is. It plays one of those buildings and it becomes a Broadway show. Got it about 18 months to two years after they present in Broadway. They ultimately launch tours. Those that have the capability of launching a tour and feel like they can have a viable business by launching a tour. They will then launch 18 to 20 4 to 36 months, depending on when they feel like their best time to go out on the road is. And then they book for about try to book about a two year tour, you know, a year to two years to pay back the capitalization of launching

that tour. Those successful shows will come back. They play repeats and they keep going.

Speaker: All right, so with my attention span, I'd already said never to air traffic control and I just added another one.

Speaker: It's complicated. Thank you. Appreciate that okay. All right. Good colleagues I think that's it. I think we're ready to call the roll maps.

Speaker: I want to thank everyone who testified today very much appreciated the dialog, and am deeply grateful to all the folks who showed up to witness this important moment and to testify before council. I will vote in favor of this resolution. I think it represents a great compromise and really constructive work from stakeholders who have different perspectives, but really came together to offer a path forward. I'll tell you, I like this proposal because the development of the Portland state site, followed by the renovation of Keller, will allow us to continue to offer shows that everybody loves while at the same time allowing allowing us to maintain our important assets and to evolve our performing platforms. You know, so this project not only represents our commitment to the arts, it also represents an important step towards revitalizing our downtown as we move forward with the market feasibility analysis, it will be critical for us to ensure that we build the right size venues that can meet Portland's needs. I know there's a lot of optimism that we can do, and there's demand for two sites, but I think it's important for us to always question our assumptions, especially when we're about to spend functionally \$1 billion. But here, I'm very confident that we're doing our due diligence. We certainly have had a vigorous and constructive conversation, which is why I feel very comfortable right now voting. I thank you, Rubio.

Speaker: Back in August, this council charged with a lot of hope.

Speaker: Dca oliveira and his team to work with these two groups on a very complex task, and they delivered a really good start to a collaborative path forward. I'm also really glad to see the full suite of environmental and carbon emissions impacts on this project that's included in the market feasibility analysis, so thank you for that. And further, I'm very appreciative of the two venue approach and that it means that potentially affected workers were considered in this effort. I also appreciate having had numerous conversations, including with unite eight in yahtzee and hearing from labor partners about the hardships that closures would mean for them, and I expect that labor will be continue to be a strong part of these discussions moving forward, including the feasibility study. I also want to give a deep appreciation and thanks to all the folks connected to this project from the halprin landscape concert conservancy, as well as psu team and of course, the city staff. And I also want to especially lift up halprin for their advocacy that started seven years ago, to start preserving these iconic landmarks and for being the impetus that led us to this broader vision for today. The keller has and is has been historically a civic symbol and the beating heart of performing arts. And we must do our utmost to make sure that its impact continues to expand through this exciting new partnership with psu. So to each of the copartners, I just want to thank you for putting collaboration and for putting our city, Portland, at the forefront of this project. I vote i, Ryan.

Speaker: First of all, thank you for the amazing testimony. We sit and listen to a lot of testimony. It's not lost on me that on this topic. It's the most entertaining. So you're living up to your brand, all of you to labor local artists and performers. You're always a top of mind. And rosetta, there you are. You're easy to find with your orange on. Let's defy gravity as we move forward. There's been a lot of talk about how complicated this situation is. Portland. We can handle tough challenges

and we can handle them artfully, and we can also make tough decisions as we move forward. This is an opportunity, not a problem. To the Halperin group to be led by president. Thank you for being here. Director Oliveira, Director Montez and all the city staff. Thank you for your hard work and collaboration. I didn't realize your meetings were so long and you had so many, so thank you. Those were expensive meetings. All of you are anyway, you're amazing people and you're expensive. I'm sure your hourly rate is high. I'm heartened that we've agreed to restore the Keller to a 3000 seat auditorium and a center of the Halperin sequence. I'll be watching closely to ensure safeguards like the market feasibility analysis, the traffic studies and a potential bond are followed before we invest further. Speaking of traffic studies, I was just at the Keller last weekend for its production of Hansel and Gretel. All right, don't clap. Go to go get a ticket. All right. No, really, it's. They're just running one more weekend. Shameless plug. What was struck to me, as was a beautiful night and everyone wanted to cross Third Avenue. Like everybody with any joy in their heart. Anyone with any joy in their heart and is having a good life. They want to cross the street because it's just so. It's the world famous fountain. And there were cars speeding back and, you know, coming right down that one way. So I also hope that we work quickly, especially during performances to close Third Avenue like it should be during performances and for the long term, so we can offer that plaza and give more flexibility to the construction and renovation of the new Keller. Additionally, we cannot lose sight of the fact that right now, most if not all, of our local arts groups can't afford to perform in the P5 venues because of the overburdensome contracts and it's really killing their bottom line. Many are actively looking outside of the P5 network to perform. This is a grave concern for our downtown and to labor before we consider new theaters. We must fix how our current venues are managed. I will not support

further city investment until we until we fix this broken system. Thank you. Director charity montez from the office of arts and culture. I look forward to exploring how we can make our theaters more accessible and sustainable with you leading this charge, I look forward to your report that will be coming in a few weeks, and I look forward to that dialog with all of my colleagues. We must take this very seriously. We've all been hearing about this for decades. With the right balance of people at the table, which does include labor guided by metrics, data, a bold vision for the arts, which is our economy. I am hopeful for the future of Portland's performing arts community. Our downtown activation I vote yea gonzales I just want to thank all of the stakeholders who have been so engaged in this process for a number of years and with intensity this year.

Speaker: I appreciate the efforts of staff I vote yea Wheeler.

Speaker: Well, I want to thank everybody who's participated in this. This is a really exciting vision, and I know many of you in this room have been carrying it for a long, long time, and I'm glad we're at a point here where we can help push this project forward. This next chapter for the keller auditorium will shape the cultural and social fabric of our city for the next century. This resolution will restore our beloved keller stage while also creating a new premier venue at Portland state university. This is a strategy that I will, I believe will create the best possible outcome for all Portlanders. Thank you colleagues and thank to you. Thanks to members of the two teams before us for being willing to roll up their sleeves and dive right into what is essentially been a group sprint. I'd like to do something a little unusual at this point. I'd like to ask those of you who have been participating in this discussion, could you stand for just a moment? So we could acknowledge you and your hard work?

Speaker: Thank you.

Speaker: And John, I saw you in the pool this morning. You're a man of energy. President. Thank you again to you and your team for your leadership. I think we all knew that this work wasn't going to be easy. But thanks to your concerted efforts, we now have a unified vision and a cohesive strategy to propel the city ahead towards a strategy for the future of the Keller Auditorium. I also want to thank our staff, Donny and Charity and others who've been working so hard on this. You obviously know that the work you've done is difficult, but the road ahead is even harder and we know you will be able to utilize our plentiful resources both within and outside of City Hall to keep us moving forward on what I hope will be a very exciting and fruitful journey. Thank you again everybody for your terrific work. Thank you for being here today to continue to express your thoughts and ideas. This will continue to be shaped with time. I vote the resolution is adopted and we are adjourned.