



November 13, 2024 Council Agenda

5791

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

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Questions may be directed to councilclerk@portlandoregon.gov

Wednesday, November 13, 2024 9:30 am

Session Status: Recessed

Council in Attendance: Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Commissioner Rene Gonzalez

Mayor Wheeler presided.

Officers in attendance: Linly Rees, Chief Deputy City Attorney; Keelan McClymont, Council Clerk

Items 965 and 968 were pulled from the consent agenda and on a Y-4 roll call (Mapps absent) the balance of the consent agenda was approved.

Council recessed at 10:13 a.m. and reconvened at 10:17 a.m.

Council recessed at 10:48 a.m.

Public Communications

954

[Request of Lisa Kendall to address Council regarding local children in cults](#) (Communication)

Document number: 954-2024

Council action: Placed on File

955

[Request of Valerie Burns to address Council regarding safety around Dawson park](#) (Communication)

Document number: 955-2024

Council action: Placed on File

956

[Request of Injured And Pissedoff to address Council regarding American Civil Liberties Union justice](#)

(Communication)

Document number: 956-2024

Council action: Placed on File

957

[Request of Jason Wider to address Council regarding accountability to a citizen](#) (Communication)

Document number: 957-2024

Council action: Placed on File

958

[Request of Justin Boswick to address Council regarding donation swapping](#) (Communication)

Document number: 958-2024

Council action: Placed on File

Time Certain

959

[Proclaim November 11, 2024 to be Veterans Day](#) (Proclamation)

Document number: 959-2024

Introduced by: Mayor Ted Wheeler

Time certain: 9:45 am

Time requested: 20 minutes

Council action: Placed on File

960

[Amend Signs and Related Regulations Code to allow greater flexibility for signage within the Rose Quarter Entertainment Sign District \(amend Title 32\)](#) (Ordinance)

Ordinance number: 191959

Introduced by: Mayor Ted Wheeler

City department: Planning and Sustainability (BPS)

Time certain: 10:10 am

Time requested: 5 minutes

Second reading agenda item 947.

Council action: Passed As Amended

Aye (4): Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Mingus Mapps

961

[Amend Planning and Zoning Code and Property Maintenance Regulations Code to amend and update off-site odor impacts regulations \(amend Title 33 and Title 29\)](#) (Ordinance)

Ordinance number: 191961

Introduced by: Commissioner Carmen Rubio; Mayor Ted Wheeler

City department: Planning and Sustainability (BPS)

Time certain: 10:15 am

Time requested: 10 minutes

Second reading agenda item 948.

Council action: Passed

Aye (4): Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Mingus Mapps

Consent Agenda

962

[Amend Price Agreements for urgent sanitary and storm repairs to extend term by one year for \\$3 million per contract \(amend Price Agreements 31002492, 31002491, and 31002490\)](#) (Ordinance)

Ordinance number: 191964

Introduced by: Mayor Ted Wheeler

City department: Environmental Services

Council action: Passed to second reading

Passed to second reading November 20, 2024 at 9:30 a.m.

963

[Authorize competitive solicitation and contract with the lowest responsive and responsible bidder for construction of the Terwilliger-Northgate Lift Station for \\$3 million \(Project E11239\)](#) (Ordinance)

Ordinance number: 191965

Introduced by: Mayor Ted Wheeler

City department: Environmental Services

Council action: Passed to second reading

Passed to second reading November 20, 2024 at 9:30 a.m.

964

[Authorize Letter of Agreement with Professional & Technical Employees, Local 17 to establish standby rate for Engineers in the Collections Operations and Maintenance Division of the Bureau of Environmental Services and provide retroactive pay for employees](#) (Ordinance)

Ordinance number: 191966

Introduced by: Mayor Ted Wheeler

City department: Environmental Services; Human Resources

Council action: Passed to second reading

Passed to second reading November 20, 2024 at 9:30 a.m.

965

[Authorize Price Agreements for Owner Advisor Services for Alternative Delivery Projects not to exceed \\$18 million](#) (Ordinance)

Ordinance number: 191974

Introduced by: Mayor Ted Wheeler

City department: Environmental Services

Council action: Passed to second reading as amended

Item 965 was pulled from the consent agenda for discussion.

Motion to amend Directive B to remove "Upon Council acceptance of the Chief Procurement Officer's Report":

Moved by Wheeler and seconded by Ryan. (Aye (4) - Rubio, Ryan, Gonzalez; Absent (1) - Mapps)

Passed to second reading as amended November 20, 2024 at 9:30 a.m.

966

[Authorize competitive solicitation and contract for construction of the Elk Rock Pump Station Improvements Project for an estimated cost of \\$5,500,000 \(Project E11311\)](#) (Ordinance)

Ordinance number: 191947

Introduced by: Mayor Ted Wheeler

City department: Environmental Services

Second reading agenda item 934.

Council action: Passed

Aye (4): Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Mingus Mapps

967

[Amend Intergovernmental Agreement with Multnomah County to increase construction cost for the Justice Center Bus Duct Replacement Project not to exceed \\$13,500,000 \(amend Contract 30009005\)](#) (Ordinance)

Ordinance number: 191967

Introduced by: Mayor Ted Wheeler

City department: Facilities Services

Council action: Passed to second reading

Passed to second reading November 20, 2024 at 9:30 a.m.

968

[Amend contract with Northwest Success, Inc to add funds for janitorial services not to exceed \\$2,450,000 \(amend contract 30008600\)](#) (Ordinance)

Introduced by: Mayor Ted Wheeler

City department: Parks & Recreation

Council action: Referred to Commissioner of Finance and Administration

Item 968 was pulled from the consent agenda for discussion.

969

[Extend the terms of Michael Alexander, Wade Lange, Michael Pouncil, and Eli Spevak to the Planning Commission through June 30, 2025](#) (Report)

Document number: 969-2024

Introduced by: Mayor Ted Wheeler

City department: Planning and Sustainability (BPS)

Council action: Confirmed

Aye (4): Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Mingus Mapps

970

[*Pay property damage claim of Jose Burgos for \\$17,530 resulting from a motor vehicle collision involving Portland Fire & Rescue](#) (Emergency Ordinance)

Ordinance number: 191948

Introduced by: Mayor Ted Wheeler

City department: Risk Management

Council action: Passed

Aye (4): Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Mingus Mapps

971

[*Pay property damage claim of Community Maintenance Services, Inc. dba HOA Services for \\$17,674 resulting from a motor vehicle collision involving Portland Parks & Recreation](#) (Emergency Ordinance)

Ordinance number: 191949

Introduced by: Mayor Ted Wheeler

City department: Risk Management

Council action: Passed

Aye (4): Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Mingus Mapps

972

[*Pay property damage claim of Rachel Dehart for \\$13,363 resulting from a motor vehicle collision involving the Portland Bureau of Transportation](#) (Emergency Ordinance)

Ordinance number: 191950

Introduced by: Mayor Ted Wheeler

City department: Risk Management

Council action: Passed

Aye (4): Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Mingus Mapps

973

[*Pay property damage claim of Alain Harris for \\$5,433 resulting from a motor vehicle collision involving the Portland Bureau of Transportation](#) (Emergency Ordinance)

Ordinance number: 191951

Introduced by: Mayor Ted Wheeler

City department: Risk Management

Council action: Passed

Aye (4): Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Mingus Mapps

974

[*Pay property damage claim of Cameron Teed for \\$10,796 resulting from a motor vehicle collision involving the Portland Bureau of Transportation](#) (Emergency Ordinance)

Ordinance number: 191952

Introduced by: Mayor Ted Wheeler

City department: Risk Management

Council action: Passed

Aye (4): Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Mingus Mapps

975

[*Pay settlement of Justin Nuziale property damage claim for \\$8,091 resulting from a motor vehicle collision involving the Portland Bureau of Transportation](#) (Emergency Ordinance)

Ordinance number: 191953

Introduced by: Mayor Ted Wheeler

City department: Risk Management

Council action: Passed

Aye (4): Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Mingus Mapps

976

[*Authorize contract with the lowest responsible bidder for the E Burnside St and NE Couch St Infill Lighting Project](#) (Emergency Ordinance)

Ordinance number: 191954

Introduced by: Mayor Ted Wheeler

City department: Transportation

Council action: Passed

Aye (4): Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Mingus Mapps

977

[Vacate SE Madison St between SE 71st Ave and SE 72nd Ave subject to certain conditions and reservations \(VAC-10138\)](#) (Ordinance)

Ordinance number: 191972

Introduced by: Mayor Ted Wheeler

City department: Transportation

Council action: Passed to second reading

Passed to second reading November 20, 2024 at 9:30 a.m.

978

[Authorize an exemption from competitive bidding requirements and authorize use of the alternative contracting method to award an Energy Savings Performance Contract and solar assessment for Water Bureau facilities and additional solar generation sites](#) (Ordinance)

Ordinance number: 191955

Introduced by: Mayor Ted Wheeler

City department: Water

Second reading agenda item 940.

Council action: Passed

Aye (4): Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Mingus Mapps

Regular Agenda

979

[Amend District Property Management License Code to update fees and district boundary to extend Downtown Portland Clean and Safe Enhanced Services District Property Management License Fee for an additional ten years and to align with amended City Charter approved by voters in Portland Measure 26-228 \(replace Code Chapter 6.06\)](#) (Ordinance)

Ordinance number: 191960

Neighborhood: [Portland Downtown](#); [Old Town](#)

Introduced by: Mayor Ted Wheeler

Second reading agenda item 951.

Council action: Passed

Aye (4): Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Mingus Mapps

980

[Authorize Agreement for District Management Services of the Downtown Portland Clean & Safe Enhanced Services District by Clean & Safe, Inc. for an estimated amount of \\$58 million over five years](#) (Ordinance)

Ordinance number: 191956

Neighborhood: [Portland Downtown](#); [Old Town](#)

Introduced by: Mayor Ted Wheeler

Second reading agenda item 952.

Council action: Passed

Aye (4): Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Mingus Mapps

981

[Amend Code to align with the amended City Charter approved by voters in Portland Measure 26-228 \(amend Code Titles 2, 4, 9, 22, 23 and 30, replace Code Titles 3 and 17, and repeal Code Title 8\)](#) (Ordinance)

Ordinance number: 191973

Introduced by: Mayor Ted Wheeler

City department: City Government and Leadership

Time requested: 1 hour

Council action: Passed to second reading

Passed to second reading November 20, 2024 at 9:30 a.m.

982

[Amend Code to align with the amended City Charter approved by voters in Portland Measure 26-228 \(amend Code Title 6 and replace Code Titles 5 and 7\)](#) (Ordinance)

Ordinance number: 191957

Introduced by: Mayor Ted Wheeler

City department: City Government and Leadership

Second reading agenda item 949-3.

Council action: Passed

Aye (4): Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Mingus Mapps

983

[*Authorize Settlement Agreement and Letter of Agreement with the Portland Fire Fighters' Association, International Association of Fire Fighters Local 43 to resolve an unfair labor practice and grievance and to amend the Collective Bargaining Agreement](#) (Emergency Ordinance)

Ordinance number: 191962

Introduced by: Mayor Ted Wheeler

City department: Human Resources

Time requested: 10 minutes

Council action: Passed

Aye (4): Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Mingus Mapps

984

[Authorize application to the U.S. Department of Justice Bureau of Justice Assistance for the FY 2024 Edward Byrne Memorial Justice Assistance Grant for \\$498,002 to assist the Portland-Metropolitan area law enforcement and criminal justice community to prevent and reduce crime and violence](#) (Ordinance)

Ordinance number: 191976

Introduced by: Mayor Ted Wheeler

City department: Police

Time requested: 10 minutes

Council action: Passed to second reading

Passed to second reading November 20, 2024 at 9:30 a.m.

985

[*Pay workers' compensation claim of Mary-Catherine Huben for \\$215,000 involving the Portland Police Bureau \(Emergency Ordinance\)](#)

Ordinance number: 191963

Introduced by: Mayor Ted Wheeler

City department: Risk Management

Time requested: 10 minutes

Council action: Passed

Aye (4): Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Mingus Mapps

986

[Assess benefited properties west of NW 83rd Pl in the NW Reed Dr Local Improvement District for street and stormwater improvements \(C-10073\)](#) (Ordinance)

Ordinance number: 191958

Introduced by: Mayor Ted Wheeler

City department: Transportation

Second reading agenda item 949-7.

Council action: Passed

Aye (4): Carmen Rubio, Dan Ryan, Rene Gonzalez, Ted Wheeler

Absent (1): Mingus Mapps

Wednesday, November 13, 2024 2:00 pm

Session Status: Adjourned

Council in Attendance: Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Commissioner Rene Gonzalez

Mayor Wheeler presided.

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

Council recessed at 4:16 p.m. and reconvened at 4:29 p.m.

Council adjourned at 5:38 p.m.

Time Certain

987

[Adopt the Montgomery Park Area Plan including amendments to the Comprehensive Plan, Comprehensive Plan Map, Zoning Map, Zoning Code, Citywide Design Guidelines, and related amendments to the Guild's Lake Industrial Sanctuary and Northwest District plans \(amend Code Title 33\)](#) (Ordinance)

Introduced by: Mayor Ted Wheeler

City department: Planning and Sustainability (BPS)

Time certain: 2:00 pm

Time requested: 2 hours (1 of 2)

Submit written testimony on [Map App](#).

Council action: Continued

Motion to change the district plan name from Vaughn-Nicolai to York: Moved by Rubio and seconded by Ryan. Vote not called.

Motion to move Amendments 1-2 and 4-8, including amendments in response to change in public benefits agreement participants: Moved by Wheeler and seconded by Rubio. Vote not called.

Oral record is closed. Written record will close December 3, 2024 at 5:00 p.m.

Continued to December 4, 2024 at 10:25 a.m. time certain

988

[Adopt the Locally Preferred Alternative for the Montgomery Park Transit Project](#) (Resolution)

Introduced by: Mayor Ted Wheeler

City department: Transportation

Time certain: 2:00 pm

Time requested: 2 hours (2 of 2)

Submit written testimony on [Map App](#).

Council action: Continued

Oral record is closed. Written record will close December 3, 2024 at 5:00 p.m.

Continued to December 4, 2024 at 10:25 a.m. time certain

989

[Amend Tree Preservation Standards Code to continue current regulations for preservation of private trees \(amend Code Section 11.50.040\)](#) (Ordinance)

Ordinance number: 191975

Introduced by: Mayor Ted Wheeler

City department: Parks & Recreation

Time certain: 4:00 pm

Time requested: 1 hour

Council action: Passed to second reading

Passed to second reading November 20, 2024 at 9:30 a.m.

Thursday, November 14, 2024 2:00 pm

Session Status: No session scheduled

Portland City Council Meeting Speaker List
 Wednesday, November 13, 2024 - 9:30 a.m.

Name	Title	Agenda Item
Ted Wheeler	Mayor	
Keelan McClymont	Council Clerk	
Carmen Rubio	Commissioner	
Dan Ryan	Commissioner	
Rene Gonzalez	Commissioner	
Linly Rees	Chief Deputy City Attorney	
Injured And Pissedoff	(Communications)	956
Jason Wider	(Communications)	957
Mike Jordan	City Administrator	979
Jeff Selby	Veteran & Interim Director City of Portland Office of Equity and Human Rights	959
Nicholas Carroll	Property Compliance Division, Permitting and Development	959
Henry Quach	Veteran & Development Services Technician	959
Devin Reynolds	Enhanced Services District Coordinator	979
Andrew Hoan	President and CEO, Portland Metro Chamber	979
Sara Morrissey	Deputy City Administrator, City Operations	983
Elizabeth Gallagher	Deputy Director, Portland Fire and Rescue	983
AnnMarie Kevorkian Mattie	Labor Relations Coordinator, Human Resources	983
Nathan Leamy	Budget and Strategy Unit Manager, Community Safety Division	984
Brian Hughes	A/Commander, Police Captain	984
Jonas Biery	Deputy City Administrator, Budget and Finance	985
Linh Vu	Chief Deputy City Attorney	985

Portland City Council Meeting Speaker List
 Wednesday, November 13, 2024 - 2:00 p.m.

Name	Title	Agenda Item
Ted Wheeler	Mayor	
Keelan McClymont	Council Clerk	
Carmen Rubio	Commissioner	
Dan Ryan	Commissioner	
Rene Gonzalez	Commissioner	
Lauren King	Senior Deputy City Attorney	
Donnie Oliveira	Deputy City Administrator, Community and Economic Development	987, 988
Priya Dhanapal	Deputy City Administrator, Public Works	987, 988
Eric Engstrom	Director, Planning and Sustainability	987, 988
Patricia Diefenderfer	Chief Planner, Planning and Sustainability	987, 988
Mauricio leClerc	Supervising Planner, Bureau of Transportation	987, 988
warren rosenfeld	(Testimony)	987/988
Al Solheim	(Testimony)	987/988
Marcus Swanson	(Testimony)	987/988
Troy Winslow	(Testimony)	987/988
O.B. Hill	(Testimony)	987/988
Leslie Gregory	(Testimony)	987/988
Richard Gronostajski	(Testimony)	987/988
Carrie Renfro Boatwright	(Testimony)	987/988
Cassie Cohen	(Testimony)	987/988
Christe White	(Testimony)	987/988
Saurav Palla	(Testimony)	987/988
Brian Ames	(Testimony)	987/988
Aaron DeShaw	(Testimony)	987/988
Paige Miller	(Testimony)	987/988
Dick Davis	(Testimony)	987/988
sarah Hobbs	(Testimony)	987/988
Candice Jimenez	(Testimony)	987/988
Chris Smith	(Testimony)	987/988
Gus Baum	(Testimony)	987/988
Sarah Iannarone	(Testimony)	987/988
John Serra	(Testimony)	987/988
Todd Zarnitz	(Testimony)	987/988
Tonya Hartnett	(Testimony)	987/988
Corky Collier	(Testimony)	987/988
Malu Wilkinson	(Testimony)	987/988
Sonia Schmanski	Deputy City Administrator, Vibrant Communities	989
Jen Cairo	City Forester, Urban Forestry	989
Brian Landoe	Analyst III	989
Megan Van de Mark	Urban Forestry Commissioner	989
Mary-Rain O'Meara	Planning Commission Chair	989
kyna rubin	(Testimony)	989

Name	Title	Agenda Item
Micah Meskel	(Testimony)	989
Justin Wood	(Testimony)	989
Ellen Mendoza	(Testimony)	989
lynn handlin	(Testimony)	989
Brenna Bell	(Testimony)	989
Rick Till	(Testimony)	989
Diane Meisenhelter	(Testimony)	989
Jan Zuckerman	(Testimony)	989
Judy L Todd	(Testimony)	989
Emily Stebbins	(Testimony)	989
Laura Feldman	(Testimony)	989
Calvin Rollins	(Testimony)	989
Kelley Beamer	(Testimony)	989

Portland City Council Meeting Closed Caption File

November 13, 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: City Council Keelan. Good morning. Please call the roll.

Speaker: Good morning. Mapps yea. Rubio here. Ryan. Here. Gonzalez. Here. Wheeler. Here.

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

Speaker: Good morning. Thank you. 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 dot gov slash council agenda](https://portland.gov/council-agenda). Information on engaging with council can be found on the council clerk's webpage. Individuals may testify for three minutes unless the presiding officer states otherwise. Your phone 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, state your name for the record. Your address is not necessary if you are a

lobbyist, identify the organization you represent and virtual testifiers should unmute themselves. When the council clerk calls your name. Thank you.

Speaker: Thank you. First up is communications. First item number nine five for request of lisa kendall to address council regarding local children in colts.

Speaker: Lisa kendall.

Speaker: All right, 955 request of valerie burns to address council regarding safety around dawson park.

Speaker: Welcome, valerie. Does it look like they've trained?

Speaker: Nine. Five.

Speaker: Six request of injured and off to address council regarding American civil liberties union justice.

Speaker: Welcome, sir. Good. Good morning.

Speaker: My name is injured and off, and I had that legally changed in magnolia county court. And I'm holding up my two fingers. Not for victory, but in two days, it'll be the 15th of November. And 14 years ago, I got my left hip broke and two fractures to my spinal cord and haven't been able to walk since without the aid of a walker. I can't even use a cane. I have my white cane to recognize that I'm legally blind and I never wore used a cane before because my service animal and assistance animal that was his predecessor. Was adequate for me to travel and move about. And of course, while I haven't been able to move about as much and the reason I supposedly contacted the aclu by email and wanted to confirm with them that that this was a real service animal. If you look up online, willamette week, that printed winners and losers August 6th. If you look up on google, use the search term uninvited guest willamette week, uninvited guest. You'll come up with this article, but it won't show the picture of my service animal because in civil conspiracies, you. They know that this was a real service animal because legal aid

had to even fight for us to get into housing. Because the housing authority of Portland at the time, when I moved in in December, third up to that date, they wouldn't allow any animal that weighed more than 25 pounds. Well, mine had weighed 25 pounds within the first year or two, just during his training. So he was well above that. And now I'm told that their allowed dogs in the housing up to 45 pounds and otherwise what they got to be a service animal or. Thank you.

Speaker: Is that the time you have 30s more sir? Oh, I find that very strange that the newspaper won't print the full text.

Speaker: And losing. And as I was saying, I've lost every fight that I've had with the city. That seems to be a little bighorn. That's went on for 20 years, since the December 3rd. Thank you.

Speaker: Thank you sir.

Speaker: Nine. Five. Seven, please. Next individual request of Jason Weider to address council regarding accountability to a citizen. Welcome, sir. Good morning.

Speaker: Good morning.

Speaker: Any seats you'd like? Thank you.

Speaker: Good morning, ladies and gentlemen. Council members, Mayor Wheeler. I wanted to come in and, I guess touch base. I've tried to speak with you several times regarding a couple of issues that I have had, issues ranging from lack of follow through from the Portland police, whether it is viewing video footage or whether it's filling out police reports properly, whether issues with FMLA violations, if issues with civil rights, discrimination at work. I've been in Portland for ten years. And I love Portland a lot. It's there's a lot of magic here, but I'm coming to you. Not as individuals, not as Ted Wheeler, not as Carmen Rubio, not as Dan Ryan. I'm coming to you as people who hold office that represent a community, that represent a city, that represent a state that represent your elected officials, that

represent people like me. And i, I have questions that are just not being answered. Like, where did my rights go? You know why? Why do why do I eat out of a food bank? Every thread of fiber on my body is given to me in a clothing bank, and I don't have a dime to my name and I can't get a job. So when I look at you, it isn't. It is. I'm not trying to be flippant. I'm not trying to. I'm seeking leadership. And when a man can't look at the leader of a city and ask a question and get an answer. He has lost. So why am I my testimony? What does it mean? I'm not sure, because I'm seeking answers and getting nothing. I was told that the mayor's office would be in touch last time we spoke, and I haven't heard anything. And again, I'm not trying to be flippant. I'm. I'm trying to be transparent. Everything I have brought to you, I have been honest with, I have I have been. Very honest. So with that having been said, I'm not really sure where else to go with this. Other than, I mean. Three trips through the clark center is. Have a wonderful day.

Speaker: Thank you. You're in the right place. First of all, thank you for making the effort to be here, especially on a rainy day. There are representatives of my office here in the room, and I'm giving you my personal word that they will follow up. Thank you sir. And can we assure that that happens, sir? And do we have your contact information? Mr. White, or. I assume we do. Do you have a phone? You don't give it publicly. But you have. We have your phone number. How to reach you?

Speaker: I'll give it. I'll make sure you have it. We do?

Speaker: Okay, great. Thank you sir. Thanks so much. Oh, sorry. It's my job. Nine. Five. Eight, please.

Speaker: Next individual request of justin boswick to address council regarding donation swapping. Justin. Doesn't look like they're here.

Speaker: All right. Good to the consent agenda, please. I would like to withdraw one item. Item number 968. There was a drafting error. I'd like to pull 968 back to my office. Any other items been pulled?

Speaker: Nine. Six. Five.

Speaker: Nine. Six. Five has also been pulled. Please call the roll on the remainder of the consent agenda.

Speaker: Rubio. Hi. Ryan. Hi. Gonzales. Hi, Wheeler.

Speaker: Hi. The consent agenda is adopted. We're not at the next time certain, I'd like to go to the regular agenda, please. The first item on the regular agenda is item 979. It is a second reading. That means we've already heard a presentation and had an opportunity for public testimony.

Speaker: Please read 979 amend district property management license code to update fees and district boundary to extend downtown Portland clean and safe enhanced services. District property management license fee for an additional ten years and to align with amended city charter approved by voters in Portland. Measure 20 6-228.

Speaker: Is there any other business on this item? I have a question, commissioner Rubio.

Speaker: So I was I just had one question, and I appreciate the letter that was sent by clean and safe and just want to ask a question about the staffing model where the direct expenses, personnel and operating expenses are broken out. Is there anyone that can just answer, just very briefly, what those those three things are so the public can hear?

Speaker: Michael, you may not have heard that. I'm sorry, commissioner Rubio, could you repeat that?

Speaker: In the letter from clean and safe, can you break down what those expenses are under the last bullet point in their letter?

Speaker: I cannot, but we can get somebody who can for you when we. Why don't we hold off on that for just a minute? We'll we'll table that one for a second. Please read 980. Also a second reading.

Speaker: Authorize agreement for district management services of the downtown Portland. Clean and safe. Enhanced services district by clean and safe incorporated for an estimated amount of \$58 million over five years.

Speaker: Colleagues. Any further business on this item? Please call the roll. Rubio.

Speaker: And this is for both of them.

Speaker: No, this is just for that. This is just for yes. Thank you.

Speaker: Okay. So I should give my remarks on this one. Yeah. Go ahead. So I'd like to thank the staff and everyone who's participated in the ongoing work on the enhanced service district. In this moment where Portland's rebuilding itself and our downtown is in need of extra care and attention, it's vital that we continue to focus on ensuring safety and cleanliness in the downtown and expanding the reach of this esd is an important piece to that. I know there are still a number of concerns from community and ratepayers about this process, and this isn't an easy or by any means perfect process, but I'm encouraged to see how much more transparent and methodical these conversations were than what has happened in the past. And I think the work that's been done over the past months can serve as a base for future work. With the esd's ongoing. I also want to acknowledge that we've gotten a lot of outreach about the role of the chamber in this, and thank you to folks at clean and safe for sharing some additional information with the council yesterday on the shared staff model and admin fees, which was I hoping that we could talk a little bit more about what those fees went to today. And of course, thank you to staff for

answering questions at the council a few weeks back. It's been particularly helpful to hear how the model compares to other cities, and it's also been very meaningful to hear about the opportunities for future city leadership to engage on this. And I would encourage the esd teams and our in-house experts to make themselves available and provide the same clarity and responsiveness to our new council and mayor. With that, I vote aye. Ryan.

Speaker: Yes. First, I want to be clear that downtown, clean and safe, has come a very long way since the start of this endeavor. It has evolved into a massive community asset which benefits everyone downtown, not just an immediate block downtown, clean and safe is building a more livable downtown. And they are doing it with increased activations, added security and cleaning services. A whole lot of hard work and coordination has gone into this and we know it's working. Our tourism numbers for this past summer prove that finally, people are returning to downtown core. In fact, our activation numbers and this summer of 2024 were the highest since 2019. And we must keep that momentum going. Thank you to mark sydney, steve, along with everyone else on the team who collaborate to make our downtown area designation once again. I do have a lot of concern. I do have some concerns. They're legit. That comes from the elderly dwellers in condos and apartments downtown who are trying to age in place on their fixed income. So we have to continue to look at how we can incorporate fairness into that. And finally, I want to lift the workforce program run by central city concern. We need more of this. It's one of the best programs we have right now, connected to an opportunity to support someone who's been homeless to get back on their feet, to build resilience, and to become independent. I'm hopeful we can work something out to address the community members who have concerns, so we can keep moving. This, along with grace I vote yea gonzales.

Speaker: I Wheeler.

Speaker: I also want to thank everybody who is associated with this. I'm a strong proponent of downtown clean and safe. I agree with commissioner Ryan wholeheartedly that this has been a very important civic partner for our recovery. We're hearing loudly and clearly people are seeing the difference in the downtown core. Commissioner Ryan is right. It's not just about perceptions. It's also about what the data is showing. And the data shows that activation is way up, foot traffic is way up. As the commissioner mentioned, we actually just had an incredible tourism season that actually surpassed numbers pre-covid. We had hotel occupancy rates in the 70 to 80% range. We have a lot of great activations coming up in fact, today we're announcing some additional holiday related activations in the downtown core. This council, I mean, all of it, everybody on this council has been aggressively supportive of community organizations that are not only helping to activate, but organizations like clean and safe downtown, clean and safe that are working to ensure that we address the livability issues that are top of mind for our constituents. So I'm very happy to vote. I, in the ordinance is adopted. Let me get rid of the last second reading just to keep it clean here. How about item 982?

Speaker: A second reading amend code to align with the amended city charter approved by voters in Portland. Measure 26 228.

Speaker: Please call the roll. Rubio.

Speaker: Aye. Ryan. Hi. Gonzales. Hi. Wheeler.

Speaker: Hi. The ordinance is adopted in 986. Is also a second reading.

Speaker: Assess benefited properties west of northwest. 83rd place in the northwest. Read drive. Local improvement district for street and stormwater improvements.

Speaker: Please call the roll. Rubio.

Speaker: Once again, I'd like to thank the staff for their great and urgent work on this project. I'm happy to vote yes.

Speaker: 986 Ryan. Yes.

Speaker: One moment.

Speaker: Mayor, I appreciate your bouncing around, but yeah, we're going through the second readings.

Speaker: Nine. Eight. Six. Okay.

Speaker: 90986. Sorry. I vote yea.

Speaker: Okay. Sorry.

Speaker: Is this the lid? Yes. Okay.

Speaker: Thank you.

Speaker: I actually wanted to say I for sure, but I also want to acknowledge that it was on time and under budget. And so I want to thank pbot for their good work. To deliver what? The neighbors came to us to talk about it seems like two years ago, I vote yea gonzales, a Wheeler.

Speaker: All right. The ordinance is adopted, and then let's go back to the first time. Certain, please. Item number 959 proclaim November 11th, 2024 to be veterans day. Our next item, as you just heard, is a proclamation recognizing veterans day. To begin, I'd like to introduce our presenters, jeff selby, who is the interim director of the office of equity and human rights. Good morning jeff. And Henry Quach, who is a development services technician with the Portland permitting and development bureau. Good morning jeff.

Speaker: Good morning, mayor Wheeler. Commissioner. Rubio. Commissioner. Gonzales. Commissioner. Ryan. City administrator. Jordan. Deputy. City administrators. For the record, my name is jeff selby. I use he him pronouns. I'm the interim director of the office of equity and human rights, and I'm speaking

today as a disabled army combat veteran and an army brat. I'd like to thank the city's veteran empowerment team and City Council for recognizing our warriors today and honoring our contributions to the city government and our communities. I'm proud to be a veteran and am buoyed by the heroes of my Japanese American community, who petitioned the government for the right to serve in the US military to fight fascism, even as they were imprisoned by their own nation in incarceration camps during World War Two. During my ten years in the army, I had the honor of serving with myriad service members women, men, people of all faiths, many people who identified as people of color, immigrants, queer and disabled, serving among among a diverse group of people with a common goal of defending our country, was an eye opener and certainly played an incredibly important role in my equity journey, even though we didn't call it equity all those years ago. The city of Portland's veterans are engineers, office support specialists, garage operations managers, administrative specialists, city attorneys, first responders, and merchant and engineering technicians, wastewater operations specialists, bureau directors, deputy bureau directors, coordinators, managers, analysts, housing inspectors, capital project managers, and so much more. Many of us come to work every day bearing an extra burden of trauma, exclusion, and even health care barriers for ourselves and family members. On top of other layers of oppression. In a report released last week, the census bureau shares that veterans are more likely to have a disability than civilians and that the rate of service related disability is higher now than in 2008. We must include veterans in our discussions of equity in community. In closing, as I have done in years past, I will offer a recommendation to anyone who meets a veteran. It is common for many people who meet a warrior to simply and perhaps automatically say thank you for your service. While that is always well intentioned, it has become a platitude. I ask that you consider taking a moment to

acknowledge our resilience and diversity, as well as the unique barriers many of us face, and perhaps instead, or in addition to the well-intended. Thank you for your service. Maybe take a moment and ask, what was your job in the military? Or what are you the most proud of from your military service? Even a simple I see you would be appreciated and perhaps unexpected. Once again, I thank you for the opportunity to speak today and for your continued support and recognition of the warriors throughout our community and city staff. Thank you, mayor and commissioners.

Speaker: My name is Nicholas Carroll. I work for the city of Portland. I answer all the noise complaints for the city. So I'm a part of the veterans empowerment team. I'm the administrator for this program. I don't know where Henry is. So I'm speaking. Are there are two things I did want to address. I did serve in the military, in the navy, in the peacetime navy, two years in Italy, and then on the aircraft carrier USS George Washington. So in the national election, we had two vice presidential candidates who are military veterans. Senator Vance was in the marines. He served as a public affairs officer in the Iraq war and Governor Walz was a career army reservist. So he served until retirement. But there was some dialog in the media about legitimacy. Who's faking their veteran status? Who's using the military and not legit? So as part of the veterans empowerment team, we honor and accept all military veterans, regardless of the service or doesn't need to be a debate between who served in war, who served in the peacetime. We honor people who are married or partnered with people in the military, and we accept people who are just supporters that have no military background or interest. So that was one of the things I did want to mention. And then the other thing is that after being a renter for most of my life, everyone told me, like, you're a veteran, you need to take advantage of the veterans home loans. And I didn't really think I would

qualify. But when my landlady raised my rent 15 more than 25% this year, I panicked and I remembered all the advice of people who told me, you need to own. You need to stop wasting your money on rent. So thanks to veteran home loans, I was able to go from a renter to a homeowner within 45 days. So I appreciate the affordable housing that I've seen pop up in the past year, because last year the home prices were out of my range. So as a military veteran, I thank all the people that advise me and I'm proud to be a homeowner now, thanks to the veterans, it's a benefit. Like if you're a veteran and you're renting, please look into this benefit. It's very good. That's all I wanted to share. Thank you.

Speaker: Awesome. Thank you. That's that's excellent advice. I'll turn this over to my colleagues.

Speaker: I believe Henry is online as well.

Speaker: Oh, I'm sorry Henry. Yeah. Go ahead. Sorry about that. I didn't see you there.

Speaker: Thank you. Good morning, you all. Thank you so much for having me. To Commissioner Rian, Mayor Ted Wheeler, Commissioner Rubio, Commissioner Gonzalez, city administrator Michael Jordan, all ladies and gentlemen. For the record, my name is Cuong Henry Quach, and I use he him pronouns. I am a permit technician ii at the Portland Permitting and Development. I am speaking to you all today as an Oregon army national guard combat veteran. I'm a proud member of the city of Portland veterans empowerment team. And to Nicholas and Jeff as well. I'm here with you virtually. During my eight years of service in the army, I have the honor of serving with both brave men and women within the rank of service. Like many other soldiers before me, and keeping the tradition in June 2014, I volunteered with more than 180 members of the Warrenton based Oregon 234th Engineers, our engineer company went for a year long deployment to Kuwait and

various special missions to Afghanistan, Iraq, and Jordan. Our main tasks were to build housing and renovate living quarters, also known as container housing units for transitional troops. Our work also included but not limited to carpentry, masonry, plumbing and electrical works on base for the us military troops and contractors around the region for their transitional living quarters. During my tour of duty, I was also tasked from my platoon leader to be a safety officer to oversee 52 soldiers at our job site for our duration of time, and it was very fortunate that not even one of us got hurt or got killed. We all made it home safe and sound. Each year we as a nation observe the national memorial day and the veterans day. I often wonder about those Americans who were prisoner of war and those who serve and never return home. So today, more than 81,000 of these brave men and women remain missing and unaccounted for around the world. They will never be forgotten. And their courage, service and sacrifice will always be cherished by our grateful nation. On September 20th, each year, the National POW/MIA Recognition Day, we honor all those missing and unaccounted for. We recommit to bring them home no matter what it takes. And we express our ironclad support for their families. These service members gave all, risked all, and dared all to protect our freedom. Just as they kept faith in our nation, we must keep faith with them. Today I am here in front of you all as a city employee and servant. I would like to ask both the present and the future leaders to proclaim and to observe on September 20th each year, as a holiday for the National POW/MIA Recognition Day in the State of Oregon. For that, thank you so much for your support and I appreciate all of your time. Thank you.

Speaker: Thank you. Henry. Does that complete your presentation?

Speaker: That's it.

Speaker: Commissioner Gonzalez I'm glad we're taking the time as council to honor our veterans and would like to also acknowledge the 249th anniversary of the marines, which was on Sunday. About 7% of the American population are veterans, while only 1% of the population is actively serving in the military. Want to thank all of them? And I especially want to acknowledge the veterans who are working for the city of Portland and including you two gentlemen, as well as the high rates in Portland police, Portland fire and emergency management, all those spread throughout the city. It's no surprise there's an obvious correlation between serving our country and serving our city. Our community. But I want to say that we're glad to have you. And it's been my honor that I've been able to work alongside you. A particular importance. Our veterans are unafraid to say with their words and actions. Communities need protection. Communities need service as a community, we must commit to supporting our veterans. But it is also important that we honor and follow their example of free society is dependent on those willing to serve to protect. We can never forget that. To every Portland veteran, thank you for all of your service.

Speaker: I'm good. Thank you. Commissioner Gonzales. Commissioner Rubio.

Speaker: So thank you so much for the presentation today. Freedom absolutely can't be taken for granted. We know this now more than ever. That's why it's vitally important to honor all of those who have served and those who are currently serving to protect our nation at home and abroad, including our city staff, whom are also veterans. Sadly, many veterans in our state don't receive the honor that they deserve, be it in housing or services or health care or job opportunities, or even just basically ensuring the generational knowledge of the history and sacrifice and service. And according to the state, more than 10% of the homeless population in our state are veterans. And on any given night, there are roughly 1400 vets

experiencing homelessness in Oregon, and this number is increased by 11% in the metro area since 2019. And this fact means that those who have served in the military are significantly more likely to be homeless than the general public. This is just one statistic that demonstrates how we as a community must continue to support and provide those deserved services and resources and supports for veterans. This Friday, all veterans are welcome to the stand down event taking place at sunrise church from 10 to 2 in hillsboro, and this is an inclusive, one day resource and connection fair for veterans of all ages and backgrounds, with approximately 50 organizations and service providers on hand with all sorts of resources in housing and employment and pet care, legal assistance and advocates for state and federal benefits. So we need to remember that just not today, but every day that we need to acknowledge the sacrifices made and take a stand for these honorable citizens. So we sincerely thank you and thank you for the freedoms that you've helped uphold for all of us.

Speaker: Thank you, commissioner Rubio. Commissioner Ryan.

Speaker: Yes. Thank you mayor. Thanks for putting this on the agenda today. First of all, it's a pleasure to be at the parade on Monday. I see some people who were at that parade, and I want to start off by saying, I see you veterans. Thank you, jeff, for that edit. For your service and your sacrifice for our country and for your continued service. It's never lost on me that people who served in the armed forces continue that heart for service after they get out and that's really noticed. I also want to start with a story about I want to thank you for that story about being a homeowner, and that was a really important story to share. And I also acknowledge that you're now on the front lines managing the know the noise ordinance. And so that's been on the front lines. So thank you so much for your continued service. I always pause to thank my dad and five of my brothers who served in the armed forces, two in the

air force, five in the navy. I probably would have joined them. I recall taking a career, a career skills test my senior year in 1979, and military leadership came out on top. Yet I was questioning my sexuality and this was pre don't ask, don't tell. And I just remember really thinking about that quite a bit. But I just knew I was too much of a rebel to keep my mouth quiet while in the service. So I decided to move on and figure out how to do service in different ways. And it's been awesome to see that evolve. And oftentimes the military is that place where we see true operational equity like it's raw, but they they're forced to deal with it. And so I always remind some of my justice friends to actually take note of what happens in our armed forces. So coming from a family of vets, I witnessed many on ramps after service and the results have been mixed. I've had two of my brothers have very successful lives, and I know that what they gained in the military was so important. I also have had a brother who died on our streets with an active addiction, and I was quite upset to see how difficult it was for them to get services from the county in that condition. But mostly I want to lift the primary mission of our military. They have a primary mission to protect all of us so that we may have our freedoms, that we can continue to experience democracy, that we must keep. They don't have time to question someone's voting record or what their current thoughts are on social media. They just show up and serve. And I want to pivot and thank our frontline service providers. Especially those in public safety, such as police, fire street, Portland street response, the park rangers and the rest of our public servants. Because on a good day, we all do that. We show up for all Portlanders. We know our primary purpose is to serve them, not to check their current voting record, not to see how they show up on social media, but to actually serve them. And I think at a time where we just experienced an election a week after, it's really important for all of us elected officials to continue to remember that same thing. But at the end of

the day, we're running a city, and the people who live here want our services to work, and they want us to focus on our primary purpose. And so I think lifting veterans and the mission that you come from in the heart of service that was created during those years, that show up later and just here to show a lot of respect. So it's with humble gratitude that I support this resolution. Thank you for being here this morning. Thank you, commissioner Ryan.

Speaker: As we honor veterans day, we pay tribute, obviously, to the men and the women who've served our nation with honor, courage and significant commitment. This day is a solemn reminder of the sacrifices made by all of our service members and their families. Sacrifices that ensure our freedoms and safeguard the way of life for all the rest of us. Here in Portland, we continue the profound duty to support our veterans, not just today, but of course, every day at the city of Portland. Our commitment is reflected in the ongoing efforts to provide meaningful resources and support to veterans communities. Personally, I'm continually inspired by the bravery and the resilience of our veterans. Their dedication to our nation and to our values, especially those that we hold dear, sets a standard that enriches all of our communities in endless ways. Thank you to all of our veterans and their families and their loved ones for everything they have done and continue to do for our country. You have our respect, our admiration, and our deepest gratitude. It's now my honor to read the proclamation on behalf of Portland City Council and by extension, the city of Portland, in honor of our veterans. Whereas an act approved may 13, 1938, made the 11th of November of each year a legal holiday that was known as armistice day and whereas in 1954, after world war two, in the korean war, the 83rd congress amended the act by replacing armistice with veterans, and the first veterans day proclamation was issued on October eighth by dwight d eisenhower to pay homage to all veterans who have contributed to the

preservation of this great nation. And whereas veterans day is a time for our entire community to come together in solidarity and to express our collective, profound gratitude for the bravery, the courage and the dedication of our veterans whose service has safeguarded our freedoms and enriched our shared way of life, have ensured. And whereas the city of Portland recognizes that our strength lies in the unity and diversity of our community and honors the immeasurable contributions and sacrifices made by the men and women who've served in the united states. Armed forces. And whereas, the brave members of our army, navy, air force, marine corps, coast guard, space force and national guard exemplify steadfast and selfless commitment while risking their lives to ensure our freedom. And whereas, wounded and suffering military members and veterans who return home honor us with their dignity, courage and valor. And whereas veterans deserve the utmost respect and support which they have earned while defending our homeland. And whereas we admire and support the families and the loved ones of those who've served and currently served in the immense burdens that they continue to bear. And whereas the city of Portland is committed to fostering a supportive environment for our veterans and their families who make who make up almost 7% of our city's workforce, ensuring that they feel valued, respected and integrated within our community fabric. And whereas we are continually grateful for the freedoms that we enjoy in Portland and across the united states, thanks to the services and the sacrifices of our warriors. And whereas the veterans day parade will take place, did take place on November 11th, 2024, starting at 10 a.m. From beach street and martin luther king jr boulevard to killingsworth street, serving as a unifying event that brings together citizens of all ages in honor of our veterans. And whereas we encourage all citizens to participate in ceremonies and activities that honor our veterans, to reach out in gratitude to those who've served and to

strengthen the bonds that unite us all. Now, therefore, I, Ted Wheeler, mayor of the city of Portland, Oregon. The city of roses do hereby proclaim November 11th, 2024 to be Veterans Day in Portland and encourage all residents to honor those who've served and those who currently serve to preserve our values of justice, freedom, and democracy. Thank you.

Speaker: Appreciate it.

Speaker: All right. We'll move to the second time. Certain item, please. We're right on time. 960, please. 960 is a first reading of an emergency ordinance. I'm sorry. It's a second reading. Thank you.

Speaker: Amend signs and related regulations code to allow greater flexibility for signage within the Rose Quarter Entertainment Sign District.

Speaker: Any further business on 960. Please call the roll. Yea. Rubio. Hi, Ryan.

Speaker: Hi, Gonzales. Hi.

Speaker: Hi. The ordinance is adopted 961. Also, a second reading. I'm sorry. That's a time certain. That's odd that we have a time certain second reading. Do we usually do that into legislative land use case?

Speaker: Oh, okay.

Speaker: So we'll hold off for four minutes on that. Let's go back to the regular agenda. Sorry colleagues to jump around. I know it's somewhat annoying. Do we have the folks for nine, seven, nine?

Speaker: I think Devin Reynolds is online.

Speaker: All right. Let's go back to nine, seven, nine. It's already been read into the record. As a second reading Commissioner Rubio had a question. Commissioner Rubio, do you want to restate the question?

Speaker: I was just my question was about explaining the line items about in that last bullet. I closed the document so I don't have it in front of me. Okay.

Speaker: No worries, I believe devin, I yes, hi, this is devin reynolds.

Speaker: I don't believe I've got that document in front of me that you're referencing. Or perhaps it may not be tracking with you correctly the letter from clean and safe that I believe we got yesterday. Was that the one with regards to quote unquote like an on ramp?

Speaker: Could I suggest this? Why don't we take a three minute recess, devin i'll have commissioner Rubio email you the document and we'll we'll take it up right after a three minute recess.

Speaker: Thank you. I appreciate that.

Speaker: Yeah. We're in recess.

Speaker: So thank you. And maybe andrew, too, if you could come up. And the reason I'm doing this is because we've had some questions about this in the public, and I think there's some information that should could be cleared up by just explaining a little bit about what these line items mean. And specifically, and I'm specifically talking about the shared staffing model, just to explain the direct expenses, personnel expenses and operating and administrative overhead.

Speaker: Yeah, sure. Thank you very much. And good morning, commissioners. Good to see all of you. Thank you for the question. And referencing the letter that we transmitted to all of you yesterday. My name is andrew hoan, president and ceo of Portland metro chamber, registered lobbyist with the city of Portland. So the items that you're highlighting are three big buckets on our budget. Our budget is presented to the City Council each year. We also share our audited financials as well with the City Council. So all of this is a matter of public record. So first off, there's total transparency around our budget and how we spend our resources. The board of clean and safe directs the budget process. And we as staff enact it. And so questions often come up about how we allocate resources. And because we

are in a shared cost model with the Portland metro chamber. So the two of them split staffing models, split overhead and split costs, what you have is a way of defining the things that we spend our money on at downtown Portland. Clean and safe. They are all high watermarks in terms of industry standards, so we put nearly 76% of clean and safe budget into direct services. So janitorial security, crowd abatement through our avion program, holiday lighting, our ambassador program, all the things that you see out on the street. So those are what we would define as direct services. And then the personnel costs are what pay for communication staff, hr staff, finance staff, any of our direct service providing or I would say our operations team such as mark and steve, those are the personnel costs of the organization. And then the final item is what is defined as administrative or overhead. So rents, lights, payroll, you know, audit costs, legal bills, things of that nature. So in all of those they're extremely either very thin, such as the administrative overhead of the organization running less than 6%. Obviously, an organization that has a relationship with a government body typically would see overhead in excess of 10% just because of the complicated nature of public private partnerships. Ours are half that for business improvement districts up and down the west coast, we can compare how much we spend on direct services and typically west coast business improvement districts, where we call them esd's, run at about 65% of their resources going to direct services and the personnel costs. Also, in terms of the historical averages of the organization being below 15%, are also extremely low relative to industry standards. So that's how we define all those different buckets. Thank you. No problem.

Speaker: All right. Very good.

Speaker: Any further discussion on this item is the second reading. Please call the roll yea. Rubio. Hi, Ryan.

Speaker: Hi, gonzales. Hi, Wheeler.

Speaker: All right. The ordinance is adopted back to the time certain 960. This is a second reading.

Speaker: I think we already voted on 960.

Speaker: No, I'm sorry, it was 96161.

Speaker: Men. Planning and zoning code and property maintenance regulations. Code to amend and update off site odor impacts regulations.

Speaker: Any further discussion on this item? Seeing none, please call the roll yea. Rubio once again, I'd like to thank staff for their great and urgent work on this project.

Speaker: This is an important step to ensure that small businesses and restaurants in our community can operate without concern for a very subjective odor standard. As a community, we aspire to walkable neighborhoods with easily accessible services, including restaurants, and these changes provide the needed clarity for these businesses to keep serving without fear of complaints, I vote aye.

Speaker: Ryan. Yes. Thank you, commissioner Rubio, for being responsive to what became a big issue in the media. I appreciate your responsiveness and your leadership. I vote yea gonzales, I Wheeler, I the ordinance is adopted to the regular agenda.

Speaker: 981 first reading of a non emergency ordinance.

Speaker: Can you amend code to align with the amended city charter approved by voters in Portland? Measure 20 6-228.

Speaker: Colleagues, this is the third bucket of code changes coming to council to align code with the voter approved city charter. This ordinance includes eight titles which require updating and one title requiring repeal. I'll hand this off to diana

shiplett. With the charter transition team in the city. Attorney robert taylor, to present this item. Welcome. Good morning.

Speaker: Hi. Good morning. Let me see if I can pull up my. Oops. Hold on a second. I left my notes on my table. No problem. Hey, robert.

Speaker: Good morning.

Speaker: I'm actually going to stop sharing and let the clerk's office share, since mine's not working. Great. All right. Good morning, mayor Wheeler.

Commissioners, my name is diana shiplett, and I am a strategic policy analyst. I use she her pronouns. And today I'm bringing forward, as the mayor stated, the third of five groups of city code titles which require updating to conform with the amended city charter. Next slide. So most of you have seen these next couple of slides, but I'm going to run through them quickly for the sake of members of the public who might not know what is necessary to be changed to align the code with the new charter. So next slide. First of all, and most importantly, we need to update the authorities in code. We are removing the commissioner in charge and replacing it with city administrator or mayor, whichever is most appropriate, such as the example shown here, which replaces commissioner in charge with city administrator. Second. Next slide. Sorry. Second, we are giving the city administrator the authority to direct the work of bureaus, adopt administrative rules and approve contracts and agreements. While we did not give this authority specifically to the city administrator because by charter, the city administrator is already tasked with the proper and efficient running of all city affairs. We recognize that consistency and clarity in the code is useful and likely to help future administrations. The city administrator may delegate any or all of these authorities to the appropriate person, program, or bureau for the efficient running of the city. Next slide. The next set of changes that we are doing are administrative. First, we're

keeping the appropriate separation between the legislative authorities of the council and the administrative and executive authorities of the mayor and the city administrator, by removing any administratively focused sections of code. Bureaus are currently reviewing these sections to ensure that they are up to date and will be placing them in administrative roles as necessary, which are also known as Portland policy documents. If you're looking for it on the website, this ensures that the future council does not inadvertently step into administrative rulemaking, which they are prohibited to do so by our new charter. The example shown is one that is both administrative in nature but also does not belong and so does not belong in code, but is also severely outdated, and so it is unlikely to go into an administrative rule after it's been reviewed by the bureau. So next slide. The other administrative change that we are making is to remove any outdated information, such as the example shown, which removes the definition of commissioner and replaces it with the definition of councilor. Next slide. While not necessarily required by charter, the team agreed that some language changes were necessary for consistency across the code. First was to remove any gendered language. Next slide. The second was to change shall to must will, or may, and in some cases may to, must or will. And next slide. And the third is to ensure that the city organizational names are reflected correctly in the code. Since we've had some organizational changes. Next slide. So now we come to the good stuff. What's going on with today's titles. Today I'm bringing forward the largest of the group of titles, which include titles two, three, four, nine, 17, 22, 23 and 30. I'm also bringing forward title eight health and sanitation, but this is for repeal. This title is significantly outdated and most of the duties outlined within that title have now been moved over to Multnomah County. So it is unnecessary to remain in our code. Next slide. For most of the titles that we're bringing forward today, there are no changes outside of what are required to

conform the title with charter. Title three, however, has some significant changes. First, with the assistance of the parks bureau, we rewrote chapter 3.26 titled the bureau of parks entirely because that current version is so outdated and so full of obsolete information, it was necessary to rewrite. Second, we moved all of the duties of the former office of community, community technology to the bureau of planning and sustainability, where it's been housed since the fiscal year 2324 budget process. And third, and hopefully this will please commissioner Gonzalez. We deleted 12 unnecessary chapters included in these deletions are chapters regarding several long expired advisory bodies, a chapter regarding a bureau which hasn't been a part of the city in a couple of decades, and one chapter, which is better in administrative rules, and two chapters which are no longer necessary due to state laws. Next slide. Title 30 also had a few significant changes. First is that we are incorporating title 33 standards regarding affordable housing into this chapter for clarity. And second, we are including content of ordinance number 18386. Sorry, 836 to align the requirements of that ordinance with the amended charter, since they weren't originally incorporated. And that is the end of my presentation. I'm happy to answer any questions.

Speaker: Thank you. Colleagues, any questions at this particular juncture? Do we have public testimony?

Speaker: No one signed up.

Speaker: All right. Very good. Well, this is a first reading, then, of a non emergency ordinance. It moves to second reading. Thank you.

Speaker: Thank you.

Speaker: Next item 983. An emergency ordinance authorizing settlement agreement and letter of agreement with the Portland firefighters association.

Speaker: International association of firefighters local 43 to resolve an unfair labor practice and grievance and to amend the collective bargaining agreement.

Speaker: I will hand this over to deputy city administrator of operations sarah morrissey. Welcome.

Speaker: Hi. Good morning, council sarah morrissey, deputy city administrator for city operations. This ordinance authorizes a settlement agreement and letter of agreement between the city of Portland fire and rescue and the Portland firefighters association local 43 to resolve an unfair labor practice and grievance, and to amend the collective bargaining agreement. Further, this agreement will provide premium pay to those firefighters selected to serve on Portland police bureau's rapid response team, also referred to as the rta and special emergency response team cert, for the additional duties and training performed in serving in these assignments, I'm joined today by labor relations coordinator ann marie kevorkian. Mattie. And elizabeth gallagher, deputy director of the management services and fire and rescue. They are both available online and will be walking us through the ordinance. With that, I will hand it over to elizabeth.

Speaker: Hello. I'm actually going to pass it over. Elizabeth gallagher, deputy director of Portland fire and rescue. I'm actually going to pass it to anne-marie to give the summary of the information.

Speaker: We'll probably pass it back to you.

Speaker: Sarah and I will do a circle passing the ball. Good morning everybody. I'm sorry. I was joining a little delayed here. Was there a question for me? Sorry.

Speaker: Congratulations. Apparently you're giving the presentation.

Speaker: Wonderful. Okay, well. Good morning, mayor council. I'm here to discuss the item on the agenda for the Portland firefighters association and for a settlement agreement which resolves a couple of open items. We had an unfair

labor practice related to some disagreement on two articles related to promotional process. And also the retire, retire program that resulted in us walking through a negotiation, a mediated process, and coming to an agreement to amend contract language under article 34, which is to allow firefighters to be on paid time for certain aspects of the promotional process, and then also to amend the contract language. In article 35, retiree hire, which provides for chief's discretion in hiring. Or actually, let me confirm what I'm saying here. Sorry. It will. It'll adjust us on the on the language for article 35 related to the qualifying conditions for when a firefighter returning to service from retirement may join the bureau and then the resulting effects of that is that we'll have a small amount of retroactive vacation credit applied to some of the employees who used their own vacation time as part of that promotional process for this current fiscal year and for fiscal year 2324, resulting in a small dollar amount to the bureau and then in terms of the impact to the retirement program, it's limited. It's just a contract amendment that clarifies how the process will work for qualifications and approval. Additionally, this settlement agreement also includes the letter of agreement related to the vacation sell back program. It is a pilot program for two years in calendar year 25 and calendar year excuse me. Calendar year 26, and it will allow employees that are assigned to a suppression schedule so those are firefighters on the line to sell back up to a total of 50.4 hours of vacation to the city. That's considered a relatively cost neutral plan for the bureau, with some anticipated potential savings related to a reduction in replacement overtime for members who are would otherwise have been on vacation. And then lastly, the ordinance also provides for two new premium pays related to the police bureau and firefighter and fire bureau rapid response team and also the cert team, which is the special emergency response team. This will allow for a 6% premium for the members that are assigned to those two different

teams to be paid for their service, while they are actually performing those duties, and brings some pay parity to our police partners. And so this is supported by labor relations. The fire bureau and the union. I'm happy to take any questions you may have. Very good colleagues.

Speaker: Any questions? Does that complete the presentation? That completes the. Do we have public testimony?

Speaker: No one signed up.

Speaker: All right. Very good. This is an emergency ordinance. Please call the roll. Yea. Rubio. Hi, Ryan.

Speaker: Hi, alice. Hi, mueller.

Speaker: Thorny stuff. Well done. Thanks to staff, I vote I the ordinance is adopted. Next item nine eight for first reading of a non emergency ordinance, authorize application to the u.s. Department of justice, bureau of justice assistance for the fy 2024.

Speaker: Edward byrne memorial justice assistant grant for \$498,002 to assist the Portland metropolitan area law enforcement and criminal justice community to prevent and reduce crime and violence.

Speaker: Colleagues. This item seeks approval to jointly apply for judicial assistance grant, commonly called a jag grant, that would provide funding to ppb, the Multnomah County district attorney's office, and the gresham police department here to tell us more about the grant is nathan leamy and commander brian hughes. Welcome to both of you.

Speaker: Thanks so much for the introduction for the record, I am nathan leamy. I manage the team that does budget grants and strategy for our public safety service area. I will share my screen and walk you through some history of this. Grant and commander hughes will talk you through the application itself. We'll go through the

grant program. The application and the delivery and outcomes. We expect the justice assistance grant is a noncompetitive grant that the city has applied for and received every year since the year 2005. It's the it is the primary provider for federal criminal justice funding to local governments. These federal grant funds can be used for personnel non-prohibited equipment, training, technical assistance, and informational systems. This grant has a somewhat unusual statutory requirement that there be a public hearing, and this presentation and ordinance will satisfy that requirement for this year's grant. As was said in the introduction, it is an application that we do jointly for ourselves and the Multnomah County and the city of gresham. This joint application session is split three ways with city of Portland taking the majority of those resources to talk through our application and the program for this year. If commander hughes is on, I will hand it off to him. And if he is not been able to join, i'll talk us through the application itself. This year, the Portland police bureau is planning on spending the \$251,000 for the purchase of bicycles and to be able to increase bike patrols within the city of Portland. The advantages of having increased bike patrols include increased mobility in urban areas, higher cost effectiveness compared to patrol vehicles, enhanced community relations as officers are considered more approachable and able to have more positive interactions with the community. Additional benefits include an agile response to protest related vandalism, where bicycles are able to have a better handle on urban terrain, improved feelings of safety for officers, as well as for visitors to city of Portland, where approachable officers are there on the ground. And then finally, health and fitness. That regular use of bicycles helps increase the fitness of our officers. Pbb has had bike patrols already. Five of them on a day shift team that doubled in 2024. This funding will allow us to acquire additional vehicles and

increase patrols during protest events. That is the presentation. Are there any questions from council colleagues?

Speaker: Any questions? I'll make a comment. Maybe more than a question. I assume that these jag grants are very specific in their nature, but overall they also feed into the work that this council has done around creating a unified command structure, which we put into place over the course of the last week. And I think it was extremely successful. And one component of that unified command was a federal presence. And so I'm also hopeful. And maybe here's where the question is. I'm I'm hopeful that the fbi and the justice department, they see the value in the collaboration with local law enforcement and that they are helping to advocate for our continued support under the jag framework. Do we have a sense of what their level of involvement is in this?

Speaker: Yeah. So this grant as I said, is a formula grant. So the amount of resources the city receives is based on crime rates within the city, as well as population of the city. So the city doesn't specifically get reward or demerits based on how we are interacting. However, these resources will be used for protest events like you said to oftentimes have a shared response with federal partners.

Speaker: All right, so what what crime rate are they looking at?

Speaker: Because auto theft is down 56%. Burglaries down 27%. Gun violence unfortunately remains sticky. What are they looking at in terms of actual crime rates? What data did they use? What metric?

Speaker: It's a combined statistic from the fbi's crime stats. It is actually, that's an interesting note. Is that this year, our award amount has gone down compared to last year. And that is in part reflective of those changes that we've seen in the crime rate in the city of Portland. So they start with a, you know, overall large pie for the entirety of the nation. And then divided up for municipalities based on on their

crime rates. So it has reduced for us, which, you know, is good news ultimately, even if it's going to mean fewer resources in the moment, given that there was no activity over the election, that we had a fully deployed, plus the unified command, does that impact our ability to actually receive funding through this grant process? No, this grant is independent of the activities that have taken place in the past week. These resources the city can use as they would like to propose. So this is what we prioritized at this point in time.

Speaker: All right. Thank you very much, colleagues. Any other questions? Yeah. Just real quick. Yeah. Commissioner Ryan.

Speaker: Yeah. Nathan. Good to see you. Can you speak to the value of bikes in general as patrols? I have some assumptions about it, but I do appreciate the target for this investment going towards bikes. It seems like it allows people who have been asking for more of a police presence to actually personally see that. And experience that. And I'm hearing that from those in the hospitality sector. Do you have some data to back that up or stories at least?

Speaker: Yeah, I mean, this has generally been seen as one of the big benefits that the bureau is wanting to put forward. And as you said, it is more cost effective than purchasing patrol vehicles. But that community relation piece is a large component of why the bureau is hoping to increase the bicycle presence. You know, folks are considered more approachable. They're that they're able to, you know, park a bicycle anywhere, unlike a vehicle that is unlike a vehicle where somebody would have to find parking on its own. Unfortunately, commander hughes looks like he only has a listen. Only link to the zoom, so he is hearing me, but not able to share the story he has personally about the program.

Speaker: Okay, well, why he's listening. This is all targeted towards downtown, correct? The bikes it is.

Speaker: And it looks like that was the plea that got him let in. Ac hughes I mean, acting commander hughes, are you able to.

Speaker: Because my question is, do we see the opportunity to expand to densely populated, walkable neighborhoods outside of downtown as well? And right now I don't see that. Maybe it's just my own ignorance. There he is. He's waving. And then he just went away.

Speaker: I'm sorry, I'm sorry, I try. I've been trying to join. I'm here now, commissioner Ryan. Yes. No. Excellent point that you're you're you're spot on. We haven't been using the bikes as much in the neighborhoods. Commander simon has started up in the north precinct area on livability missions there. And the plan is also to spread them to east precinct and so buying more bikes will enable us to be able to have a bigger footprint. Because you're right, right now, it's mostly downtown and we plan to expand and the main street merchants and all all across the city, I'm sure, but I heard it frequently over the last six months.

Speaker: Would really like that presence in saint john's and along mississippi, alberta, etc. And maybe they could float when there's especially big events, if you will, in those areas.

Speaker: We will do, commissioner. I'll take that to heart and share with the other commanders of the other precincts.

Speaker: Okay. It's good to see you taking advantage of you being here. Appreciate it.

Speaker: Thank you. Thanks. Thanks. A lot. Do we have public testimony?

Speaker: No one signed up.

Speaker: All right. Very good. This is a first reading of the non-emergency ordinance. It moves to second reading. Thanks, everybody. Next item 985. The last item on the regular agenda.

Speaker: Pay workers compensation claim of mary catherine hubin for 1 or \$215,000 involving the Portland police bureau. Good morning.

Speaker: Good morning, mayor and city commissioners. My name is jonas berry. The deputy city administrator for budget and finance and the city's chief financial officer. This ordinance settles a worker's compensation claim filed by mary catherine hubin resulting from her employment activities. As a record specialist with Portland police bureau and its records division. The city attorney, risk management services and the Portland police bureau recommend the claim be compromised for the total sum of \$215,000. Linly with the city attorney's office is on line to tell you more about the settlement.

Speaker: All right. Thank you for having me here today, mayor and commissioners, my name is linh vu. I'm a chief deputy city attorney with me is vicki bisbee, who is the adjuster on this claim? This is a mutually agreed upon settlement between the parties that will end further processing obligations on this worker's compensation claim. I am happy to answer any questions you might have regarding the claim background. Thank you.

Speaker: Great. Thank you.

Speaker: Do we have public testimony on this item?

Speaker: No one signed up.

Speaker: All right.

Speaker: This is an emergency ordinance. Please call the roll yea. Rubio.

Speaker: I Ryan I Gonzalez I Wheeler.

Speaker: All right. The ordinance is adopted. We'll go back to the consent agenda. The one item we have not dealt with yet is item number 965. I have an amendment after you read it, authorized price agreements for owner advisor services for alternative delivery projects not to exceed \$18 million. Colleagues, there is one

sentence that I would like to remove from this. I move to amend directive be to remove quote upon council acceptance of the chief procurement officer's report, unquote. Can I get a second? Second? Commissioner Ryan seconds any discussion on this item, any public testimony on this item?

Speaker: No one signed up.

Speaker: All right. Very good. And this was is this a second reading? Nine. Six, five.

Speaker: It's a first reading of a nonemergency. All right.

Speaker: This is a first reading of a nonemergency ordinance. It moves to second.

Speaker: Mayor, we first need to take a vote on the amendment and then.

Speaker: Good point. Thank you. Can we call the roll on the amendment, please?

Speaker: Rubio | Ryan | Gonzalez | Wheeler | the amendments on the table.

Speaker: This is a first reading of a non emergency ordinance moves to second reading, as amended. We are adjourned. Thank you.

Portland City Council Meeting Closed Caption File

November 13, 2024 – 2:00 p.m.

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Speaker: City Council Keelan. Please call the roll.

Speaker: Maps reveal here. Ryan. Here. Gonzalez. Here. Wheeler.

Speaker: Here. We'll now hear from legal counsel on the rules of order and decorum. Good afternoon.

Speaker: Good afternoon. Welcome to the Portland City Council.

Speaker: To testify before council in person or virtually. You must sign up in advance on the council agenda as [w-w-w dot Portland.gov/council agenda](http://w-w-w-dot-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. 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. Thank

you. All right. Thank you. And before we get to the actual items, I just want to give everybody a heads up.

Speaker: We're going to do two minutes today for public testimony. We have dozens upon dozens of people signed up for all of our items this afternoon. I want to make sure that we get through and hear from everybody. So please tailor your messages to two minutes, please. We'd appreciate that. Keelan, please read our first two items together. 987 and 988. 987 is a first reading of a nonemergency ordinance, 988 is a resolution.

Speaker: Item 987 adopt the montgomery park area plan, including amendments to the comprehensive plan, comprehensive plan map, zoning map, zoning code, citywide design guidelines, and related amendments to the guild's lake industrial sanctuary and northwest district plans. Item 988 adopt the locally preferred alternative for the montgomery park transit project.

Speaker: What we have before the City Council today are two related items. First is the montgomery park area plan, a new long range land use and transportation plan for the area near montgomery park. The second item is the related montgomery park transit project, locally preferred alternative, sometimes called an lpa, which endorses the recommended alignment of the streetcar extension to serve the plan area. These two related items are being brought to us by the bureau of planning and sustainability, as well as the bureau of transportation. Before I turn this over to the dcas and related staff, I want to just note that we have several amendments that will be presented today. It's my understanding that commissioner Rubio has an amendment. I have several technical as well as other amendments, and there are also new amendments to the zoning map and regulations that relate to some of the changes in a related public benefits agreement. I'll now pass this on to deputy city

administrators oliveira and dana paul and their staff to present this project. Good afternoon. Thanks for being here.

Speaker: Thank you. Mayor. Commissioners don oliveira for the record, I'm the deputy city administrator for the community and economic development service area. We are pleased to bring this plan and the proposed streetcar extension to council today. This moment is the culmination of years of work on the part of city staff and community. The vision to extend streetcar to montgomery park goes back to the earliest streetcar plans more than 30 years ago. Those ideas evolved through the central city plan, the northwest neighborhood plan, the 2009 streetcar concept plan, and ultimately the 2035 comprehensive plan. This extension will transform northwest Portland to allow for creation of an innovative and equitable mixed use and mixed income employment area that will support jobs of the future, as well as housing and services and a transit oriented climate friendly district. Most importantly, this project includes an agreement with a private sector partner to secure public benefits such as affordable housing. Beyond inclusionary housing requirements, housing requirements excuse me, targets for middle wage jobs, a new% public park and an investment in sustainable transit that otherwise would not be achieved in this area. I want to note that staff have worked tirelessly with community and our partners to ensure that this encompasses and incorporates a lot of feedback we've heard over the course of the two years. Plan a project that was seeded by a grant from metro that evaluated not just a streetcar, but the opportunities to really like, initiate housing much needed housing in our city. Commissioners oftentimes are up here speaking about where are the investments. And this is a great example of a private partner who's willing to lean in with us to activate housing. Much needed housing, both for market rate and affordable housing. So these are the types of projects the city of Portland wants to

continue to support through land use and zoning, but also think about creatively, how can we maximize our job outlook as well. So thanks for hearing this item today. With that, i'll turn it over to dc donald paul. Thank you.

Speaker: Thank you dc oliveira. Good afternoon council for the record and for public works service area. The proposed streetcar extension described in the montgomery park plan and the proposed streetcar extension, locally preferred alternative, has been a priority for the city and regional partners for years. The project was adopted in the city's transportation system plan in 2018, and is in the metro's regional transportation plan, and is also a part of the region's planned high capacity transit system. Pbot has been working closely with metro, trimet and the federal transit administration on the coordination necessary to deliver the project, and pbot has money set aside in its capital investment plan to pursue project development for the proposed extension, with many cities and regional projects competing for limited federal funding, there is currently an opportune window for the city to pursue funding for this project through federal small starts capital improvement grant program, and staff will accelerate these efforts upon adoption of the plan. This funding source will allow the city to leverage substantial federal funds towards the project without diverting local transportation funds from other important transportation improvements in east Portland and elsewhere in the city. Adoption of the streetcar lpa is an important step in this process, and pbot's capital improvement program has already dedicated funding towards for the project development. Now we will turn it over to patricia diefenderfer of pse and mauricio leclerc of pbot to talk about the plan and the lpa. Good.

Speaker: Good afternoon, mayor and commissioners for the record. I'm eric engstrom, interim director at the bureau of planning and sustainability. I'm just going to say a few things to get started, and then i'll turn it over to the project team

to go through the details. Four things. One, I want to just emphasize something Danny alluded to, which is this this council has an opportunity here to adopt a plan that will facilitate significant private sector investment in housing, jobs and other public benefits that will be leveraged by a modest public investment, a successful private public partnership here will have benefits in terms of reinforcing investor confidence in Portland, like the diamond project, this sends a signal. Second, the housing production strategy has ambitious goals. As you all know, we've recently talked quite a lot about it. A big share of those goals can be achieved through a number of ambitious strategic projects. In and around the central city, including this plan. The big equity move here is putting more housing in a high opportunity location, including up front production of affordable housing, which is critical. Third, this is absolutely an opportunity to elevate York's role in our history and you'll hear more about that today. But I want to echo that as well and say firmly that Bts wholeheartedly supports continued work to achieve that outcome. Finally, I just want to take a moment to mention a few things. Yesterday I communicated information about the transfer of ownership of the Montgomery Park site and how that's affected the project development in the last few months. As you know, there are two major property owners here and several smaller property ownerships. The two major owners are the former Esco site and the Montgomery Park site. The site is owned by 1535 LLC, which is a group of local investors. Up until recently, the Montgomery Park site had been owned by Unico Properties, who had purchased it from Bill Nato back in 2019. Unico had been involved with this planning process for the duration. But their property went into foreclosure in 2023, and Menasha Properties purchased the property a few months ago. In August this year, they also purchased the American Can building just east of the Montgomery Park building. Since then, our project team has been working with the Menasha to catch them up

on the plan and the agreement. Late last week, it became clear to us that menasha properties is currently unwilling to participate in the public benefits agreement related to this project. The zoning plan and the benefit agreement are a package and giving. Given that decision, it's the bureau's recommendation that the City Council make several additional amendments to the plan, which patricia's team will go into today. Primarily to retain the current base zoning of the montgomery park and American can sites and to align the flurry and heights on those sites to reflect current zoning regulations, including adjusting several standards that had been tied to the benefits agreement. This includes outdoor area, non residential floor area and affordable housing provisions. This has the benefit of achieving many of the plan's goals for the for the sites. But while removing some of the benefits that were tied specifically to participation in the public benefit agreement, this wouldn't preclude further work with the montgomery park property owners to, but would allow us to move forward in partnership with 1535 llc. I want to mention that more than two thirds of the housing capacity in the plan area is in the sub district d, which is the esco site, which would be continued to be covered by the benefit agreement. And the three and a half acre American can building would retain its current zoning, with these amendments further reducing the amount of land shifting from employment to mixed use. And with that, i'll pass it over to patricia to start going through the plan details.

Speaker: Good afternoon. Mayor, commissioners patricia diefenderfer for the record, chief planner, bureau of planning and sustainability. I'm just going to take a moment to share my screen. Okay, great. Thank you so much. So again, my name is patricia diefenderfer. I'm here to present the plan. I'm joined here today by mauricio leclerc, who is a supervising planner at pbot and he's going to talk about some of the transportation elements of this plan. So we're here to present the

montgomery park area plan. There are three items that are related to the plan that will be considered by City Council. The plan itself, a resolution for the locally preferred alternative for the proposed streetcar extension and a public benefits agreement. The first two of these topics are topics of today's session. We will be back to council on November November 21st for the public benefits agreement. This slide just shows an agenda for this item for today. Mauricio and I will describe the contents of the plan, including background and the public engagement process. The approach to implementing the plans objectives, some details on the streetcar extension and the transportation elements of the plan and next steps following the staff presentation, you will also hear from the public and have an opportunity to have a discussion. And as part of the staff presentation, we'll also be presenting in some detail the amendments that have been discussed. Wanted to also very quickly mention that the written testimony can be found online. And here's the information about where that testimony and the public record can be found. Oh, I forgot to mention I apologize. This slide. I want to make sure that the council is aware that the planning commission, both the planning commission and the design commission did review their respective components of this plan and both made modifications to staff recommendations, but ultimately did approve the plan that is before you and recommend that City Council approve the plan and its related design elements. So the vision for the montgomery park area plan is for a dynamic, low carbon, mixed use and mixed income neighborhood that has equitable access to housing and jobs. The city's objectives for the area are to create a more intense mixed use area that incorporates housing and maintains a job focus at densities that can be supported by the streetcar extension that is proposed to serve the area. The city is working to achieve middle wage jobs, affordable housing, affordable commercial space, climate resilience and public open space through future

development in the area. It is achieving these objectives through a value capture strategy that employs both the land use regulations and a public benefits agreement with the owner of one of the large properties in the area. And we'll talk more about that in a bit. This slide shows a bird's eye view of the future potential development in the area. The yellow line is the route of the streetcar. Extension and the new buildings in gray are illustrative of the scale and the type of development that we would expect to result from the proposed zoning. This slide is an overview of the concept of the plan. As you can see from this graphic, the proposed plan focuses the change west of highway 30 around a streetcar extension along northwest 23rd avenue that would connect, that would connect the streetcar to the montgomery park building. The area east of highway 30 shown on this map, was originally part of the study area, but is not part of the proposed area of change as it is being preserved for industrial uses. The area shown in orange on this map represents the area that will be changed. The plan and zoning to allow for mixed uses in the future, and the lighter blue area retains employment zoning to serve as an employment buffer between the new mixed use area to the south and the heavy industrial area to the north. You can see that this plan would achieve many of the housing and employment goals we have heard about during outreach for this project, and it also again preserves the stable, active industrial areas east of highway 30. This slide covers at a high level, the expected outcomes and opportunities of this plan. As you can see from the anticipated numbers of housing and jobs, the montgomery park area plan provides significant boost to housing capacity in the area, including a substantial number of income restricted units. The anticipated 2 to 300 affordable units in the area represents a 77% increase in the restricted affordable units, compared to the number of restricted affordable units that exist in the area currently. The area will retain a jobs focused focus with

provisions in the zoning for mandatory nonresidential square footage requirements and middle wage job targets for the largest property owner. A new park, a new public park, and other public art and public realm improvements are also part of the plan, and the streetcar extension, of course, is an important component of that plan and is expected to result in a substantial number of new daily riders and new and constructed rehabilitated streets. The projected 3000 new daily riders represents a 40% increase in ridership of the north south streetcar line during the course of the planning process, multiple land use scenarios were considered, including changes to a much broader area east of highway 30. As I mentioned previously, that would have impacted significantly greater industrial acreage based on input received during the public process, the city refined the boundaries of the area, focusing on the areas of greatest opportunity and where changes in existing land uses were already occurring. The area within the proposed plan area boundaries has been identified as an area that's been in transition, and plans for the area dating back to 2003. And i'll talk a little bit more about that. So basically, the proposal that that is before you is a is a permutation of the hybrid scenario that you see here on the bottom right. So as I mentioned previously, the plan proposes to both to use both regulatory and non-regulatory tools to achieve the land use objectives through a combination of traditional land use tools, such as the comprehensive plan and zoning and a proposed public benefit agreement, the city can advance many public benefits in the form of housing, affordable housing, employment, public realm improvements, and a publicly accessible park. These tools are designed to work together to derive these public benefits from future development in the area, and will further the city's equity, sustainability and livability goals. So the regulatory components of the plan are just listed here. I won't go over them in great detail, but as you know, and I will share this a little bit more

detail in subsequent slides. The plan consists of amendments to the comprehensive plan, including changes to overlapping area plans, changes to the zoning map and zoning code, and the establishment of a new plan district, and a design character statement that will inform the future design of projects in the area. And it also has recommendations for future transportation system plan amendments. So the next several slides will describe the land use regulatory changes that will result from this plan. This map shows the comprehensive plan both the existing plan designations and the proposed amendments. The comprehensive plan will be amended for mixed employment in the light purple and industrial sanctuary, and the light gray to central employment in the dark purple and mixed employment designations. The central employment area in the dark purple is where the mixed uses will be allowed in the future, and the lighter purple area that you see in the bottom map represents the employment buffer that we talked about in the earlier concept slide. This map shows the zoning and the zoning will be updated to align with the comprehensive plan changes. Similarly, the areas in dark purple are where the mixed use mixed use will be allowed in the future, and the zoning in the light purple along northwest nikolai street forms that employment buffer that I mentioned.

Speaker: Commissioner Gonzalez has a question on this.

Speaker: I just had a baseline question here on your job creation assumptions in the prior slides. How does that interplay with here? So we're we're taking away some of the industrial sanctuary under the proposal. What's the what are the job implications of that.

Speaker: Yeah. So the job calculations of the numbers that were in the previous slide are an estimate of the number of jobs based on the acreage and the assumptions about job density in different kinds of jobs uses, whether it be retail,

office or industrial. So that number anticipates a mix of jobs and all those different sectors. And that's the number that you see on the plan.

Speaker: So the that number is assuming that we're going to lose some and gain some.

Speaker: Yes. That that number is assuming I mean, I think that number is assuming that we're going to have a net gain in jobs, especially on the site. There are currently no jobs. It's vacant land. Additionally, it assumes and combined with the public benefit agreement, which I'm going to talk more about, there's actually going to be a requirement to create a 400 net new jobs as part of this plan. So not only will the total number of jobs grow, but there will be a requirement to have 400 net new middle wage jobs. And that's something that in standard zoning, you would not be able to get any such kind of guarantee of job creation.

Speaker: And so one last question about the when we're making the assumptions on job impact, we're we're comparing it to a baseline where the site is currently not generating any jobs. Correct. I just want to make sure I'm following your logic. Yeah.

Speaker: And the site is only one part of the overall plan. It's an 8 or 80 acre area. Esco site represents about 2025 of those acres. So yeah, those are assumptions are for the project area overall.

Speaker: Right as of right now. And then just one last question on jobs. So the assumption of mix of jobs you know I think of industrial, including the esco site, the family wage jobs at one point in history, including fairly recently, what are our current assumptions and our analysis as to the percentage of those jobs that are going to be family wage jobs in in the new in the new scenario, so that the requirement, particularly I can speak most directly to the 400 middle wage jobs that that is part of the public benefits agreement.

Speaker: And there's a requirement that those jobs meet, meet certain criteria. And those criteria include that the wage is 57% of median, average, average median income. What does that translate to today? Just so I can ballpark, I might have to look to staff to help me out. Can can I just have them give me a number? I think that's about and while you're doing that, do the definition for middle wage jobs. Yeah. So 5757. It's \$57,000 a year. And that's I'm sorry I said 57%. What I think 57 was in my mind, it's 50% of median average median income. And that is \$57,000 a year. So that would be the wage of what we would consider to be a middle wage job. And also to answer your question, commissioner Ryan, I think you were about to say, what are the what is the definition of a middle wage job? So effectively the criteria define what the middle wage job is. So it's the salary is 50% of median income that the that there's not a it's in an industry that doesn't require college degrees. And there's also an emphasis in coordination with the advanced Portland plan. And prospers economic development strategy to have those jobs be in sectors that are contemplated in the in the advanced Portland plan. So and they have a role in helping to ensure to monitor and ensure compliance with that requirement. Okay.

Speaker: And last baseline what. So you know we have a number of family wage jobs in the industrial sector. When you think about as you go north into the industrial land, many make in excess of 57,000 a year, even for non college educated. But what's your baseline assumption on what industrial land is creating in terms of average wages in that area.

Speaker: Yeah. Again I think i'll just ask staff if they can help provide some information on that.

Speaker: I'm just curious again, just trying to think of the net balance. Net impact in terms of jobs and what what are the quality of jobs versus the existing capacity versus what we would do with this land use change.

Speaker: We can circle back to that. I'm sure we have that number.

Speaker: I'm good for now. Okay. So again, this is the zoning map and the zoning would be changed to be consistent with the comprehensive plan map changes. So I also just wanted to point out pardon me the proposed amendments that the mayor mentioned, which I will describe in greater detail later at the end of this presentation, will change portions of these maps to retain some of the existing zoning, and that will also have implications for the changes to the comp plan map. So I just wanted to point that out. If those amendments are approved, these two maps will be updated to reflect those changes and the updated documents will be prepared and replace the current plan documents at the at the next council meeting on this item. Among the other regulatory changes that would be changed as a part of this plan is changes to the comprehensive plans. Prime industrial areas map, which will also be amended to remove the prime industrial areas, which is the black hatching. And you can see in the pink oval there, the existing and recommended plan changes to the harbor and airport designations and the light gray on the map. There. The comprehensive plan will also be amended to expand the northwest town center to include the area. The. The changes will also include changes to the gods lake industrial plan and the related plan district, and the zoning code will be amended to remove this area from the plan and its associated zoning provisions. Similarly, the northwest district plan and the related plan district and the zoning code will be amended to remove this area from the plan and its associated zoning provisions. Finally, there will be a new plan district called the von nikolai plan district in the recommended draft, which I believe there's also a

proposed amendment to change the name of the plan district to that which will be introduced later. And this plan district has provisions that would advance or support the goals of the plan. The items that you see listed here are the kinds of regulations that the plan district regulates. And i'll discuss these a little bit more in how they relate to the provisions of the public benefit agreement shortly. I just wanted to also note that there is a design character statement that, as I mentioned, that guides future design of projects and will inform the design reviews. And this is this character statement had substantial input by the public and the design commission. And as I mentioned, the design commission has voted to recommend that City Council approve the character statement. This slide just briefly touches on the elements of the public benefit agreement, the public benefit agreement will be at council at on November 21st, and we will talk in much greater detail about the public benefits agreement at that time. But generally just wanted to share here the broad strokes, which is that this agreement requires that the property owner of the former esco site provide middle wage jobs. As we discussed on site provide affordable housing either up front or a larger number of affordable housing units if provided on a project by project basis. So at a higher percentage and when we talk about affordable here, we're talking about 60% of ami. Also, the requirements would involve a provision of a public park, support for commemoration of york, for whom york avenue here, a street in the area is named. And then funding of course for the streetcar and including substantial right of way dedications for the new roadways on which the streetcar will be running. Over the course of this planning process has happened over the course of five years, and over the course of that five year planning process, city staff have engaged with many neighborhood groups and community based organizations and other stakeholders. It's also noteworthy that the city did use some of the grant funding that we received for this project to fund

community groups, to provide input to this planning process, and you can see those organizations at the very top of the slide here, where the organizations that we actually provided funding to, to participate, to, to conduct outreach to their own stakeholders and to participate in this planning process, including the York Street work group. Throughout the process, staff also held, as we traditionally do, many different workshops open houses, focus and focus groups, as well as had a project working group that met many times to help shape and give input to the project. So now I'm going to just transition into a little bit more of the substance of the plan. Over the next several slides, we'll talk about how the plan goals are being achieved and the relationship essentially between the plan and the public benefits agreement. So these slides are not intended to be read in great detail, but really rather to illustrate the way in which the zoning code and the public benefits agreement work together. So for jobs and employment uses the zoning code would deploy a mix of requirements and incentives to ensure that the agreement's pledge of 400 middle wage jobs is achieved. Affordable commercial space would be both required and incentivized by the code and the public benefits agreement. I think it's again, I mentioned it a little bit earlier, but I wanted to note again that the proposed area of change has been identified as a transitional area in plans dating back to 2003. Recognizing the proximity of this area to the very well established northwest neighborhood to the south. 2003 zoning code amendments to the Guild's Lake Industrial Sanctuary plan district identified the area as a transitional area, and in doing so actually allowed more substantial office and larger retail uses in this particular area than would normally be allowed by the underlying zoning. Those changes were further solidified through the additional zoning changes that were adopted as part of the Comprehensive Plan 2035. In 2018, and the proposed. So this proposed plan really just reinforces those past policies, policy decisions and

takes advantage of the opportunity here to accommodate the jobs and housing that we've been talking about in an area where there's really low risk of displacement. And in public testimony, you are likely to hear concerns about the impact of the proposed comprehensive plan and zoning code changes and how it will what, how, what impact it will have on the industrial land supply and the economic opportunities analysis. So I just wanted to spend a quick minute on that. As previously discussed, the provisions in the code and the public benefits agreement really work hard to ensure that this maintain this remains a job focused area. The montgomery park plan, while it would convert 30 to 34 acres depending on the changes that results from the amendments. While it would convert those acres from industrial employment land to mixed use, that represents only 0.2% of the city's total industrial land base, which is more than 13,000 acres. The. The purpose of this slide really is to emphasize that the current adopted economic opportunities analysis has a surplus of industrial land to accommodate those acres that would be converted by the plan. And again, of course, the combination of the middle wage jobs requirement, along with many of the code requirements that include a mandatory affordable commercial space and create incentives for industrial service, wholesale sales, industrial office uses are all intended to work together to help offset the loss of this industrial acreage and to encourage growth. Job growth in the sectors that can create middle wage jobs. So very quickly, just want to talk about the inclusion of the affordable housing components of this project. So inclusionary housing, as you know, works with the market to provide income restricted housing where it would not otherwise occur. The montgomery park proposal would leverage the program to require the 200 units of affordable units in anticipation of 2000 market rate units to be built in the area. And if those are, those units should be constructed prior to the market rate units, or

alternatively, the projects would be required to provide affordable units at 15 at a rate of 15% of the total units and again at 60% ami. So the zoning code would complement the public benefits agreement by allowing higher floor areas in exchange for either building the units up front or doing a greater number of affordable units. So also, the provision of the 40 zero zero zero square foot park is an important goal for this plan. The zoning code will have an outdoor open space requirement with an incentive to consolidate the open space on the larger site in the area into a public park. The public benefit agreement will require the park and has provisions specifically for the timing and the location of that park. The montgomery park area plan also is a transit oriented district plan. The plan advances the comprehensive plan goals to have a complete neighborhood with many different modes of transportation, including a carbon neutral transportation mode like the streetcar extension, the urban design studio at bts worked closely with pbots to align the design elements with the transportation elements to ensure the buildings and streets are will make good places for people to live and work in the future. The public benefits agreement will ensure that the large property owners in the area contributes to construction of the funding and funding of the streetcar and the complete transportation network. I'm going to now turn it over to mauricio. Thanks for your patience, mauricio, to talk a little bit more about the transportation elements of the plan.

Speaker: Good afternoon. Mauricio pbots, the second item for you and before you is the adoption of a locally preferred alternative, lpa. It's a resolution. An lpa is basically a technical term used by the federal government to identify a project that wants to partner with the federal government for implementation and funding. So the next slide shows that it requires three elements. One is the mode in this case is a streetcar as opposed to a bus or light rail. Right. And the route which you see

here in the map is an extension of the ns line. The first line, built in 2001. Today, that line goes to northrop and returns via 23rd using lovejoy. So what it would do, it would be to extend. It would go north, it would travel north on 23rd avenue or main street to the study area. And then I would do a loop using a couplet, a one way couplet, two ways in each direction. Roosevelt going westbound and wilson going eastbound, turning at 26 with a couple of stations. So basically the mode streetcar, the alignment which you see here and the general location of stations, it would make an lpa 6.65 extension next. Switch it. Oh sorry. Yeah. Sorry. We're. Yeah. So basically in addition to the lpa this project has great benefit for the community and the city. It includes the rehabilitation of 23rd avenue which basically needs deep repair from lovejoy to vaughn. So basically the area, the lower area, but all the way to the intersection that you see there, it connects, you know, again, a great a great part of the city, northwest to a new evolving area, much like it was the conway area and the pearl district and south waterfront. It would be a new type of technology for us. It would require a new vehicles that do not have to rely on the catenary poles, which is more expensive and convoluted and need more repair. It would use a new type of vehicle that can go off wire for a while, so it would do a loop and then tie back into the system. And finally, thanks to modeling by our partners at metro, it's projected to generate about 3000 new riders. That's a significant number as comparison to streetcar the north. This line that serves about 5500 daily riders. So this would be 3000in addition, you know, and that existing line is the fifth most popular line in the whole state. So this would be the sixth and basically the only bus line that would be there would be the 72 line on 80s. So it would be a very successful, well, well used line, especially for such a short extension. It's just 0.6 miles. Next. Let's see, over five years we work with the community on how to get to montgomery park. And this plan, as mentioned by canal, is in our adopted plans,

including the regional transportation plan. Our own system plan. So the idea was how to get to montgomery park. And we work with the community. And you see here some examples of alternatives that we studied. Some of them the top, for example, resulted in new lines, right, with a new driver and such, and others were more an extension. We much preferred the extension and on 23rd because again, it's cheaper to operate. This would require minimal additional operating cost. Again, construction funding is a one time operating is forever. So I think this is a very affordable operating way to extend to this district via this loop that that I mentioned. Okay. The cost it's about projected to be 120 million year of construction. We are will be with this action will be entering project development in which we will signal to the federal government that we're entering project development. And we pbot has \$12 million to proceed and do additional design and project development will understand better the cost, but we know it's about \$120 million and includes the streetcar elements that I mentioned the extension, the new streets of roosevelt and wilson, which now are pretty much part of the site, and the rehabilitation of 23rd, which needs it. And there is no plan b for it. A potential sources again, by tapping into the federal government, we're expecting 50% that they would pay for that additional funding sources will include a right of way dedication that can be used as local, match a local improvement district through the area to help fund locally, and additional private contributions. In addition, we're looking for additional money and awards. Okay, next, let's see. In addition to this project, which is the backbone of the area, it will it will allow the growth of the district, the new the new buildings to happen. Right. We have a comprehensive set of actions and investments, including what you see here on top. Right. And so our transportation changes to our tsp for bicycles, we have one for each mode. And the next tsp update will formalize these changes. Also on the lower

right map, it's a recommended master street plan that will guide development. You know, we'll we'll we'll put the couplet in place, but the area to the north will happen. The area development over perhaps decades. So this plan guides same with the montgomery park area will guide how to do so. Where to put generally the location of streets and infrastructure. And finally, this plan includes additional tools that match the intended outcome of a mixed use neighborhood, including parking regulations and tdm requirements that are located in a volume three of the plan. Next. And so finally, for me, this this window of time, it's a great for this streetcar extension. Basically in addition to what I said, we are pcf you know, gave the city of Portland \$30 million to replace streetcar vehicles. But again, because of the formula of the federal government paying \$50.50 on the dollar, where our intent is to add the \$30 million of vehicle replacement to this project, in which case we can turn the 30 million into 60 million and get double the number of vehicles. So that's a great opportunity. And we have a council item coming December fourth about that. By the way. Secondly, we're working with metro and trimet, our regional partners, to line up a series. This project for project development and project delivery that will be helping us trimet, for example, it's the actual applicant where the sub recipient. So we'll we are well coordinated with our regional partners to deliver this project. Now, this project again is \$120 million. Delay means basically another \$10 million that we need to fund. Again, this will provide the backbone to the district, just like 10th and 11 were for the pearl or moody and bond were for south waterfront. So the more we delay this project, I think the more will delay the first building. And finally the work needed for 23rd. It's about \$20 million. There is no plan b, pbot has no other way to identify funding for that. So again, this is an opportunity to use the federal government to help pay for this project and to help our assets. And I think that's all I have. Thank you. Thank you.

Speaker: Okay, so we're almost to the end here, but just before we get to the specifics of the amendments, but this again, this slide is a reminder of the recommendations from both the planning commission and the design commission.

Speaker: Yeah. I just want to ask a quick question of pbot. When you say this will add to our assets, we also have heard so much about the deferred maintenance at pbot. So how does this not add to that?

Speaker: Basically we will what we have now failed as a code 23rd avenue. And this you know, this project would actually will dig deeper than normal and will replace a lot of the decking infrastructure and leave it pretty much ready to go for another 20 plus years.

Speaker: So this construction would take care of the deferred maintenance on northwest 23rd.

Speaker: In addition, the new street right will be built to pbot best standards and it will last for a long time. They are not. They will not be super heavy streets, you know, in terms of carrying freight or traffic. So they will last a long time and thoroughly again, we have a vehicles that we purchased purchased in 2001. Streetcar vehicles that need replacement. Actually they're passed. They're actually on, you know, I forget the term, you know, that the time in which they are supposed to the life, the lifespan of the vehicles. So this project would allow us to double the number of vehicles and get up to 10 to 12. So again, if you add those, it's a it's a great it's great for the area, great for our growth and our goals, but also great from a pbot from a asset management perspective.

Speaker: So the blurring of deferred maintenance and new construction obviously comes together here, which is something we've been talking about with the legislature, with our sdcs that we could use them on deferred maintenance, which

is really construction should always thinking we have to do new construction. Just want to hold that thought as we lobby down in salem on that. Thank you.

Speaker: Okay.

Speaker: Thank you. So just want to kind of run through the next steps for the many, the several items that are related to this project. So as you know, we're here today holding the public hearing on the plan itself and the streetcar extension council does have an opportunity to vote on the streetcar extension locally preferred alternative today if it wishes to do so next week, November 21st, we will have the hearing on the montgomery park public benefits agreement. The montgomery park area plan will be continued to December 4th, and then the montgomery park area plan and the public benefits agreement are scheduled currently for December 11th. For votes at that time and with that, that concludes the staff presentation. But, mayor, if that's that's okay with you, i'll go ahead and go through the amendments, the amendments and go ahead and do that. Okay. So I think that the first amendment is the amendment that that is introduced by commissioner Rubio and this amendment would change the name of the plan district from the vaughn nikolai district to the york plan district. And commissioner Rubio, if you want to say a few words about that.

Speaker: Sure. So I'm interested in introducing this amendment that renames von nikolai plan to york plan district. And as most of you know, this area of Portland was in the general location of the lewis and clark expedition, centennial expo. And we also know that in a more accurate accounting of northwest history, york, which was clark's, who who was clark's servant and who was also a slave, made significant contributions to the success of this expedition and was and the first known black person in Oregon. Further, in 2002, City Council named new new northwest york street. In this honor of york due to the efforts of ron craig. So this proposed plan

district name change further acknowledges these contributions and black history in Oregon and staff and testifiers are more likely to speak to this in a bit here. And the amendment language is as as presented here on the slide. All right.

Speaker: Thank you.

Speaker: Okay. Is that a that's moving.

Speaker: Oh sorry. If there are any other questions i'll move to amend item 986 to change the name of the plan from vaughn nikolai. Plan district to york plan district, wherever the name appears in the recommended draft.

Speaker: I'll second that.

Speaker: And just to clarify that, for the record, it's item number 986, not 987986. Sorry. Yes. Okay. Yeah. The zoning package. Thank you.

Speaker: All right. Very good. Commissioner Rubio moves. Commissioner Ryan seconds. We'll hold that.

Speaker: Open the next batch of amendments are amendments being introduced by the mayor. These amendments comprise technical amendments that are that staff identified things like replacing the name, the lewis and clark expedition with the corps of discovery, some other minor technical changes that you see on the screen here and also in response to public comment amendments two through eight, as you see on the screen here, which were also published in a memo on November 6th. And I can quickly summarize, but essentially they're clarifications of different provisions of the code, including the urban green features and the non-conforming nonresidential use rights allowing required non residential use to be transferred from various subdistricts to another, providing more specificity in references to the provisions of the public benefit agreement to improve implementation, the cross-referencing of code sections in the agreement and allowing floor area to be transferred again from different sub from and to sub

different sub districts, and then increasing the step down height on northwest vaughn from 45 to 55ft. Those are the amendments that were published in a in a previous memo on November 6th. And then the final set of amendments that are were proposed that were mentioned by the mayor this afternoon are amendments related to making changes to the plan as a result of the changes that are occurring with the public benefit agreement, and these changes include zoning map changes that would change the underlying zoning map to keep the current base zones of the montgomery park and the American can sites, and to retain the while it would retain the x zoning in the montgomery park site, it would retain it would also retain the eg one employment zone on a portion of the American can site, and in to. In order to implement these map and zoning map changes throughout the plan, there are a number of different provisions of the plan that would also need to be changed. And they are listed here. And so these amendments really just reconcile the zoning code provisions in the plan district with the zoning map changes that are proposed. And I think i'll just stop there unless. All right.

Speaker: So let let me make sure I get this right legally because there's a lot of words here. So to be clear this is amendments one and two and four through eight. And the recommendation is that they be moved as a package. Is that correct? Yes. So moved. Can I get a second? Second commissioner Rubio seconds. We're not going to vote on it now. I'd like clarification. The other information that you just mentioned here with regard to the change in pba participants, is that a separate amendment?

Speaker: Yeah. Yes.

Speaker: Okay.

Speaker: And what I mean, it doesn't have to be I mean, it's I think I don't know if I'm looking to the city attorney for my notes aren't clear in your presentation wasn't terribly clear.

Speaker: I'm trying to decide whether I need an additional amendment to incorporate this into the overall plan so the council can, and it's up to council whether council wants to.

Speaker: I'd like to, on the side of caution.

Speaker: So I would like to move that. Can I move this as and I'm asking legal counsel can I move this as a package.

Speaker: You can move the entire thing as a package and vote on the entire thing as a package.

Speaker: Okay. Can I include it as part of the last amendment that I just made and which was seconded?

Speaker: It's a friendly amendment. And if there are no objections to your revising your initial motion, because this seems to go with all of that, but this is further more detailed than what is actually in the original amendments to my read.

Speaker: So I would like this included, unless there are any objections.

Speaker: Yeah. So if there are no objections, counsel can move. And second, the entire all of the amendments that bts has presented as one item, they would all then be voted on as one item together. Good.

Speaker: I just want to make sure it includes the amended text that is on the slide in front of us as well. Don't want to leave that out.

Speaker: Thank you. On zoom. Yes. Yeah.

Speaker: Great. Good. I'm happy we'll leave that open. It's been moved and seconded, and I just want to make sure that it's clear for the record that those are not the actual code amendments, that I think that's what patricia is getting to next.

Speaker: That is going to post those. This is sort of for the purposes of taking testimony, what the code amendments will reflect staff is working on refining. So the actual code pages will be amended and posted by a date and time certain, and they will come back for the second reading.

Speaker: Yes, exactly.

Speaker: Make me happy.

Speaker: Yeah. And that date, let me let me give you that date and time. I apologize. Sorry. One second.

Speaker: Okay.

Speaker: Pardon me. So yeah. So we are going to publish these changes, make all the necessary code and map changes and publish the revised documents on November 27th. And then the written. If the council closes the written, the oral record today, we would ask that the written record be maintained open until December 3rd at 5 p.m. And then this item would be continued to the meeting on the on December 4th. So the written record would be open until the day before.

Speaker: Sorry about that. When we get to the end of the meeting, but for now, I just want to make sure the package of amendments is on the table and that it's open and people can refer to it during public testimony. Should they so choose. In addition to the amendment, commissioner Rubio put on the table. All right. Good.

Speaker: Clarify one piece. Commissioner Gonzalez. Okay. So amendment one is outlined in the amendment memo that that commissioner Rubio spoke to. I'm just noting that amendment number one in the memo refers to one that you're that you brought. So I just want to make sure I'm tracing what we've what is amendment one and two that we've just gone through. And how does that map to the amendment memo we received. So yeah mine is number three. So you just hit

number three. Number one okay. Got it. So when you were referring to number one earlier, you were in fact referring to amendment.

Speaker: So my package of complex technical amendments are one and two and four through eight. She has three. We just did hers first because it's less complicated.

Speaker: And just when we were speaking about it, we referred to it as amendment two. And number an amendment one. So I just want to be crystal clear that I'm tracking.

Speaker: So I mean, I think for the purposes of the council clerk, the amendments are likely Rubio amendment. Usually it's Rubio amendment one, and then it would be the mayor could also it would just be an entire package, which is amendment two or amendment one from the mayor, which reflected as one and two as of now, just to simplify, because I'm an idiot, I want it in simple terms.

Speaker: We have two amendments. We have Rubio's, Rubio one, and we have mine, which happens to be a package. We have two.

Speaker: Yes. And so that I can trace it to what we were provided beforehand. We have an amendment memo that outlines eight amendments. Correct. And the package you're referring to is 1 to 4 through eight, correct.

Speaker: And the material that's on the slide right now, which is said is included, is in a friendly amendment, as part of that package, which is what I transmitted yesterday, is an add on to that.

Speaker: And mayor Wheeler, I'm sorry, I wanted to show one more slide. I apologize, it's related to this item just to further show how the zoning provisions would change. So this is just executing what is on this slide to show how that would actually be reflected in terms of changes to specific provisions related to floor, area, base and bonus and height. So just want to make sure to provide that level of

detail. So, so that people can testify on that on the record. And then these will be all part of the amendments that will be published on November or November 27th. So the areas shown in red are what would change from what is in the plan currently.

Speaker: Okay. Thank you. Good. All right. Thank you. So we are now ready for public testimony. Unless you guys are about to complicate things. You look like you're scheming. Okay. How many people do we have signed up? Keelan. Sorry. 28. Okay. 28. Two minutes each. Name for the record. Keelan will call your name. And as per usual, you do not have to give your address. Sometimes people feel like they have to give your address. You do not unless you really, really want to. There is a yellow light that will and a first buzzer that will go off when you have seconds left. Then there will be a red light and an electric shock. When you're out of time. Keelan go for it.

Speaker: Thank you mayor. First up we have warren rosenfeld, followed by marcus swanson and al solheim.

Speaker: Distinguished group to start us off. Welcome.

Speaker: What's that famous line my father would have liked hearing that. My mother would have believed it.

Speaker: That's a good one. Welcome, warren. Do you want to start us off, mayor Wheeler?

Speaker: Council members. I'm warren rosenfeld, 24, 95, northwest. Nicolae street, home for the last 77 years, of our 115 year old third generation metal recycling company, cal metals is across the street from the former esco steel foundry, and I'm a partner in the esco property. Cal mills was originally located downtown at second and clay. The city moved us to the foot of the old city incinerator on northwest nicolae. As Portland's prospects for growth downtown emerged post world war two, the Portland of 1947 was not the Portland of 1909, and the Portland

of today is not even the Portland of 1994. Like times past, a rising tide can lift all ships that the prospects of middle wage jobs requires a more flexible use of land. The montgomery park area plan should not be reduced to an either or debate when driving our general employment needs even a scrap recycling company can benefit from neighboring housing, public transit and more jobs for kalabagh. There's nothing in the zoning that would inhibit our ability to move our trucks, park our employee cars, or continue to receive 100 daily visits by people and companies who choose to recycle at 24th and northwest. Nikolai, our history, what we know is we do better when the city does better.

Speaker: Thank you, thank you warren. Paul, you want to go next?

Speaker: Okay. I'm alex solheim and I'm here to strongly support the proposed zone change as reflects an evolving city with a focus on affordable housing, middle wage jobs. It continues the city's evolution from the rural district to montgomery park. I had experience with rezoning of what is now the pearl district from industrial to xd. This was done in two actions, one from burnside to lovejoy and the other from lovejoy to the river. This was a concerted effort by the bureau of planning and multiple city agencies based on their recognition of the opportunities that were before them. They saw the opportunity for adaptive reuse and a large rail yard that was much in process of being decommissioned, much like the opportunities of the esco site. Prior to the zone change, the pearl district had no housing. Now there are apartments, condominiums, many urban services, a creative economy, schools, cultural institutions, grocery stores, a streetcar, and three parks. Esco set the table when they delivered a site that did not have environmental concerns that most people feared and had obtained the current mixed use designation. The proposed mptp designation creates middle wage jobs,

affordable housing goals that are at the forefront of the city's needs at a time when the city needs a few wins, this plan will strengthen our city. Thank you.

Speaker: Thank you sir.

Speaker: Hi, my name is marcus swanson. Thank you for the opportunity to speak in support of the montgomery park area plan. I'm a photographer and the owner of swanson studio. We've been a commercial photo studio in northwest Portland since 1992. One day, many years ago, back when our studio was at the edge of the pearl district, homer williams, a developer, was visiting the studio and he or visiting the building, and he and as he passed through, he saw us in the middle of a photo shoot. And he commented on how interesting it was to see a little cottage industry tucked over in the corner of the building. I took offense at being described as a cottage industry, but it's true. He went on to develop the Portland south waterfront and help with that. And we're still a cottage industry in northwest Portland, but I wouldn't trade it. We're a studio with ten full time employees and an average salary of \$110,000 per year. Our studio is located ground zero in the middle of the montgomery park area. Plan. We face wilson street and we're directly across from the 13 acre esco site. If you were to drive by our building, you wouldn't have any idea what we do. But we are an industry too. In fact, we are an industry that embodies Portland's homegrown creativity and scrappiness. And you'll find our work all over the world. If you were at the paris olympics this past summer, you would have seen our nike footwear imagery building size projected across the museums of paris. But it's hard to be a small business on the edge of a 13 acre void. A creative industry relies on the type of energy that comes from ideas, from community and connection. That's why we're so excited about this investment and the vibrancy that is uniquely northwest. Portland. Your time and attention and all the work that you do to help the city prosper, appreciate it.

Speaker: Thanks all three of you.

Speaker: Troy winslow, obie hill, and leslie gregory, welcome.

Speaker: Hello, mayor Wheeler, City Council, my name is troy winslow. For the record, I am a member of your collective. I just have a few a few things that I would like to say about the montgomery park area plan. Namely, I really want to talk about the history of the area, gouge lake in particular, and it's sort of emblematic of the history of, of Portland, of westward expansion of colonial white supremacy and the damage it's done not only to our communities of color in Portland, but to our ecosystems, our our environment, and the area specifically once was a lowland marsh lake that was that. The city facilitated in its destruction. Digging out, carving out parts of the west hills, dredging up the river to lay waste to what once was an ecosystem that was vibrant. It later served as an area for wartime housing. The lake courts, which is very much overshadowed by vanport. This was the eighth largest wartime housing project in the united states. It housed 20% of the inhabitants of that area were were african-American families. A lot of whom worked at the esco steel site. And of course, you know, we have to mention the lewis and clark exposition that happened before that, which I can't think of a better example of what white supremacy has done to this area. I really want to see this area used to innovate how we build care infrastructure. And there is a way I hope to see it used at montgomery park, specifically used as a campus for an hbcu satellite medical school that will offset a lot of the issues we're having with perinatal outcomes for black, native and pacific islander women and racism as a public health crisis and a social determinant determinant of health in general. So i'll add much more to say, but appreciate you being here.

Speaker: Thank you.

Speaker: Hello. My name is Obie Hill. After the Vanport flood, we moved to God's Lake Court. I was in the second grade and went to Oregon Ship School, and we used to be members of the Knothole Club. We used to go over Vaughn Street Park and watch the Portland Beavers, and it was Censky Louis Marquez, Joe Brovia, my goodness gracious, alive people through the Knothole. But they let us in for free. York recognition is the main reason that I'm here. 16 people traveled across the nation, sent by Thomas Jefferson to see how they had. Bought through the Louisiana Purchase. 50% more of the land that became the United States and the first, well, the second person of African descent to set foot in. Now, what is the state of Oregon? Was York. And I'm interested in seeing that he's recognized. So anything that we can do to do that, that's what I'm here for. Thank you very much.

Speaker: Thank you. We appreciate you being here.

Speaker: And if it's okay, I would. Leslie Gregory actually sent me her testimony. If I can read that aloud. Is that okay? Yeah. Go ahead. Okay. Appreciate it. Leslie Gregory, she's your collective member and founder of Right to Health and a physician's assistant. I am writing this letter to support and offer my clinical and research expertise to the development and work of the proposed York District toward its creation of a community-based and targeted health equity institution in the Montgomery Park area. As one of the only Black primary care providers in Oregon, I have seen the impact of racism on my patients, irrespective of race, Doctor Blackstock's book *Legacy* documents and explains the loss of hundreds of thousands of Black doctors due to the racism of the 30s, a shortage that persists today. York District offers a unique opportunity to confront the shortage and improve the health of Americans. This is particularly appropriate for Oregon, whose legacy of racism extends as far back as the eye can see, as the I can read and has caused unspeakable damage to the communities of color who invested their lives,

blood and work in the land. This is particularly apparent for our black and native populations, which experience significant health disparities, costing the state not only millions in health care expenses, but also damaging our reputation both nationally and internationally. York district is offering Portland the opportunity to address these health disparities head on by creating inclusive spaces and resources that prioritize the well-being of all community members. By incorporating diverse voices and perspectives in its development, we can ensure equitable access to health services and research opportunities that have historically been overlooked in the setting of the upcoming administration. York district is also a vital response to the threats posed at the critical energy infrastructure hub. As we face an urgent climate crisis, we must take proactive measures to safeguard our communities and environment. This plan positions York as a strategic center for achieving our climate goals, protecting our shared spaces and driving economic growth. York collective's urban village district represents a perfect example of ways in which supporting those, those in highest need actually addresses the issue of the larger population as well. How fitting that it is, Oregon. That would be. That could be at the cutting edge of health equity in this way. I call on Portland City Council and property owners to support this in every way possible. Thank you, thank you, thank you both.

Speaker: Richard grunitzky cassie cohen, carrie renfro, boatright, welcome.

Speaker: Why don't you go ahead and start?

Speaker: Okay. Thank you. Mayor Wheeler. Commissioners, thank you for taking public testimony on on this issue. I'm speaking to you regarding the local improvement district that is proposed from properties from 23rd avenue to 24th avenue, which has been proposed to support part of the streetcar extension. Given that the proposed streetcar extension has approximately one stop on 23rd

between oops oh! Between northrop and vaughn, that district is going to get very little benefit from that streetcar line, the street. The benefit of the streetcar line is going to be for the new area in the montgomery park action plan. And I really think that if there is an lid that is considered, that it should be considered only for the area that is going to receive the direct benefit of the streetcar line, as opposed to the district that simply having the streetcar line pushed through it. I rode the streetcar here from 23rd and marshall, and that's a very heavily used station. And the current plan calls for the streetcar to turn from northrop up to down 23rd. And it means that the people who normally use the 23rd and marshall exit station will have to walk at least two and a half blocks further when the streetcar goes in than they do currently. And I don't think that we should be punishing current users of the streetcar for proposed streetcar. Proposed streetcar users. I think that much of the work of the streetcar could be done more, less expensively and more efficiently by electric busses, as opposed to an extension of the streetcar. But if there is an extension that goes on, I'd like there to be a considering a stop for the streetcar at 23rd and overton, which would be closer to the current 23rd and marshall stop so that the current users of the streetcar aren't punished. Thank you very much.

Thank you. Kathy.

Speaker: Okay. Hi. Thank you for letting me be here. My name is carrie renfro. I am a third generation Portland native, worked for the state of Oregon for 40 years. I'm here to show my support for the york district, recognizing it as an initiative that carries valuable potential for the residents of our entire community. The initiative would bring a positive impact beyond the benefits outlined in the public benefits agreement. The plan is a framework for development and most importantly, it is a healing response to pressing public health issues, including systemic racism in women's health care and research. We must leave and ensure a viable future for

next generations. My personal motivation for joining the York work group is rooted in my own family history in Portland, my father's family lived in Vanport. Luckily, they moved to the Albina area before the flood. However, they were limited as to where they were allowed to relocate due to redlining. The York District Plan includes a plan to create affordable yet permanently owned, affordable housing. As Black women, my mother and grandmother both suffered miscarriages, partially due to limited culturally sensitive medical resources in the Portland area. Part of the York District Plan would help mitigate those disparities by connecting community with health care resources and providers. My family fished in local waterways in Northwest Portland. However, today that isn't a healthy option due to a lack of environmental responsibility of the land and waterways by some industrial businesses that polluted the area without consequence. The current climate crisis demands we take proactive measures to keep our communities and environments safe. This plan puts the York District as a hub for achieving our climate goals, protecting our shared spaces, while also encouraging economic growth. I ask City Council to support the York District Plan and to encourage property owners and the community to come together and make this plan a reality. Thank you for your time.

Speaker: Thank you.

Speaker: Hi, my name is Kathy Cohen. I'm the executive director of Portland Harbor Community Coalition. Greetings, Mayor and City Commissioners. I'm also the co-founder of York Collective, formerly York Street Work Group or York Work Group. Just so there's no confusion, we're still getting used to the name York Collective. And thank you to everyone for the six years of dedicated work by staff, streetcar folks, property owners who put time and effort into this project. We understand why you feel ready to see results. We realize your eagerness to secure federal transportation dollars to subsidize a new streetcar line, and to improve 23rd Avenue

infrastructure. We understand also why new owners of montgomery park may have little sense of urgency, commitment, or commitment to reach an agreement with the city. If it comes down to whether it will help or hinder their profit margins. We also understand, but do not condone, why city leadership would decide. Mpap is not a project that should warrant a formal government, tribal consultation process on if it doesn't fit within the perceived urgent timeline to seek federal transportation funding. York collective and hcc called for formal tribal consultation because it is a standard that we adhere to and have successfully encouraged these same standards for metro, regional government and deq in determining future uses of large properties near the river, namely willamette, covid, mccormick and baxter. 30 candidates, including several newly elected city commissioners, offered near unanimous support to restore full and formal tribal consultation, and they genuinely want to know what the tribes think of this plan, as well as york urban village, a plan that includes permanent, affordable housing, cooperative commercial space, community gathering space, green space, and middle wage, even family wage jobs. Through this, hbcu satellite concept, all while honoring our ancestors and cultural histories. Your collective and its vision for a york district. We hope to work with the city, the Portland streetcar, inc, and property owners to seek joint funding opportunities to support the implementation of the vision to co-create a worldwide historical cultural hub that honors our ancestors, provides economic and housing opportunities for newer generations in what we're calling the york urban village, centralized in the york district. So that's our vision. We can resend the concept to you all if you'd like to see it. Thank you. Thank you.

Speaker: Christie white, sarah, paula, brian ames, welcome.

Speaker: Thank you for being here. Christie, you have the largest stack of papers.

Speaker: Go first. I'm sorry. Good afternoon. I am christie white, representing the owners of the former esco property. After many years of partnership, my client still stands ready to implement this plan with the city. Importantly, to commissioner Ryan and commissioner Gonzalez, questions about industrial jobs. Esco does not have an industrial comprehensive plan designation today. It has a mixed employment designation. So under current code, we could apply for a zone change in compliance with the comprehensive plan, change the zone to non industrial without a single required finding on industrial land supply or any commitment to jobs and no requirement for public benefits. We were going to do that four years ago. While we could do this, and the city would have to approve it. It's not advisable because such a change would not deliver the extensive public benefits that the mpap will deliver. Under the mpap, we will create new middle wage jobs and other jobs, build affordable housing, extend the streetcar, rebuild 23rd, upgrade aging streetcars, build a park, and honor york. The city has smartly used as it has in the past, the power of the pen to leverage the same or better zoning result with greater public benefits. This process will not impact, as I expect you're going to hear later, the pending eoa. This plan does not create any parameters or any restrictions for the city's work under that updated eoa, the two planning issues are untethered. The mpap does, as you've heard, create a middle wage job mandate to directly grow jobs on this site through private and not public investment in greater density and closer to services than would exist under the current zoning. There's also limited acreage within subdistrict e that will be rezoned central employment, where there's some existing small industrial users, and under that new zone, all existing industrial users will remain permitted uses and are encouraged to grow with the density. Bonus. These are new instruments the city is deploying to support and retain existing industrial users. So let's move on this map now. It gives us local

match for the streetcar commences. Work for early build of affordable housing turns the vacant esco property into a middle wage job center and honors work in meaningful ways. Thank you, and I'm happy to take any questions.

Speaker: Thank you. Christie.

Speaker: Good afternoon, City Council members of staff and fellow Portlanders. My name is Paula and I'm a member of Portland neighbors. Welcome a pro housing pro tenant group here to comment on the proposal to adopt the recommended draft of the Montgomery Park area plan. I want to start off by thanking BAPS for their diligent and thorough work in creating a plan that reflects the kinds of neighborhoods that Portlanders want to see more of neighborhoods with plentiful housing in all forms, a strong focus on environmental sustainability, welcoming to residents of all backgrounds and income levels. Easy access to thoughtful transportation alternatives, and proximity to good jobs and services. Creating these kinds of places is not easy, especially with the challenges of our day. But the plan before you gives young people like me great hope for the future of this city. It's with these thoughts in mind that I urge the council to adopt the draft going forward and ensure that BAPS has the tools, resources and backing of the present and future city leadership to see this vision become a reality. However, I do want to mention a crucial area of improvement where I feel the recommended draft could benefit. Chiefly, the plan sets out a base height limit of 65ft with various bonuses raising that limit, including streetcar proximity and affordable units. This is frankly too little and a waste given the opportunity before us transit oriented development, like the kind proposed in this plan, is most impactful when the largest number of people are within walking distance of transit stops and encouraging. This density comes with a host of ancillary benefits. Denser housing means more eyes on the street and improved safety. Denser housing brings customers and foot traffic to local

businesses. Denser housing can foster a sense of community and shared ownership, and denser housing is more cost effective for providing city services. Perhaps most importantly, allowing more generous height limits. In this neighborhood helps alleviate the chronic shortage of homes that the city has struggled with for many years. Montgomery park is a critical opportunity to make a sizable impact in the housing shortage, and this plan should take every advantage to address that. If we're truly going to spend 120 million on extending the streetcar, I believe we should be doing everything possible to encourage ridership where we can. Thank you for your time.

Speaker: Thank you.

Speaker: And go, oh yeah, please go.

Speaker: All right.

Speaker: Good afternoon. My name is Brian Ames. I am a part of the ownership group of the former Esco property. Full disclosure, I am a city of Portland planning commissioner, and I am not here representing the planning commission today. We've been working in partnership with the city for nearly five years on this project. And we ask that you adopt the recommendations to approve the Montgomery Park area plan. This plan supports and facilitates each of the city's primary public objectives, with no additional public subsidies. It is not public land like the Post Office. Instead, it is privately held land being planned and leveraged by the city to produce significant public benefits. And we are willing. We are willing. Landowner. Fueled by local homegrown investors who want to do something important for the city, converting vacant land to a vibrant, mixed income community with middle wage jobs, affordable housing, a park and green transportation infrastructure. There are many in the community, including the city's planning experts and your planning commission, who are here today urging you to adopt this plan to allow the

city to move forward constructively and productively to achieve its key objectives with a willing landowner. We also know that there are those who would ask you not to adopt this plan because it does not support their preferences or how they think the city should perceive. But the choice is clear. Either move forward with a plan that does not require any additional public subsidies, and deliver on the city's top objectives, or leave the former esco property vacant with no streetcar, no housing, no park and the possibility that it will only serve a low job density employment use or worse, no purpose at all. This is an important time in the city, an important time to send a message that we can partner with our citizens to grow a community that embraces our primary objectives. Housing for all, middle wage job growth and green infrastructure. Thank you. Thank you.

Speaker: Okay, next up we have aaron shaw, dick davis, paige miller.

Speaker: Thank you for being here.

Speaker: Hello.

Speaker: Good afternoon, mayor Wheeler and Portland city commissioners. My name is aaron shaw. I'm an Oregon native. I've been running multiple companies in Portland since 2000. My companies own one building on york and three lots between 23rd and 24th on roosevelt, which is the alignment for the streetcar. My the businesses I operate are mainly in the 2350 north west york building. I support the proposal. It is important to use land for its greatest purpose. And this land, and particularly the development. By 1535, the former esco site provides an unprecedented opportunity for the city of Portland. Present. Presently, there were some issues addressed with middle wage jobs. My building on york provides jobs at or above the \$57,000 per year expectation. And prior to covid, we also housed a subsidiary of nike that provided jobs well in advance of the average family wage. My neighbors in york street have lost many people since 2020, and in part, I believe

that's because that area of Portland presently provides very little in terms of amenities, something that could be certainly corrected by the present plan that would bring parks, restaurants and other businesses into the area that don't presently exist in in 1535, at the former york site, we have primary developers for the city of Portland that have achieved success in the past. It's a group of proven leaders in Portland, developers that provide great opportunity in this area of Portland that's presently not well developed. I would encourage you to support their efforts in renewing this part of Portland and bringing new business to the area. Also, I'd like you to consider whether and this is not my area, obviously, but whether the funding from the federal government might be available long term, given the change in the administration that we expect. And I think that this might be timely moved on in order to achieve your goals. Thank you. Thank you.

Speaker: Good afternoon, mayor Wheeler and City Council members. My name is paige miller and I live in northwest Portland. Today I'm speaking on behalf of northwest active streets, a group of neighbors committed to making our streets safer and friendlier for everyone walking around northwest Portland. Our team has followed the montgomery park area plan closely, with three of our members serving on the mp two project working group. Above all, we believe it's important to invest in our town centers, putting jobs where people want to live and reducing car dependance. We believe our neighborhoods are about much more than a place to park your car. The reconstruction of northwest wilson and roosevelt as multimodal streets will create a welcoming environment for all. We support reduced or off street parking for those streets. The streetcar extension will help knit the northwest neighborhoods together, visibly, conveniently, and directly. We appreciate how the montgomery park area plan calls for a seamless extension of measures being implemented as part of northwest in motion. One ongoing concern is the impact of

new development traffic on the already delicate northwest 23rd and vaughn and i-405 intersection. That intersection, especially with added redevelopment, must stay safe and accessible for pedestrians, including those using trimet's line 24 over the fremont bridge. That said, we support the most recent plan changes, especially pedestrian friendly upgrades to northwest bond street. Our written testimony expands on these points, but above all, we're asking for your full support of the montgomery park northwest area plan and its charter character statement. Thank you for your time.

Speaker: Thank you.

Speaker: All right.

Speaker: Excuse me, I am dick davis. I am here on behalf of the board of directors of Portland streetcar as its chair.

Speaker: Our board represents a broad range of community, business and institutional partners committed to the success of the Portland streetcar system over the 30 years of ci's existence, we have worked to convene the city and other partner public partners with private sector to ensure that private investment and associated infrastructure result in broad community benefit along the streetcar line. The intentional partnership on the core of our modern streetcar system has catalyzed not just investment in the intra city transportation network, but in building housing close to jobs and institutions, as well as creating walkable, sustainable urban neighborhoods to accommodate significant growth within the central city. The evolution of the streetcar has made Portland's central city vibrant, more resilient, more climate friendly, and can continue to be a stronghold against the need to pave, farm and for stand on forest land. On the edges of the region to plan growth. The investment in the streetcar and the associated land use in northwest Portland presents yet another opportunity to match private and public

input to create great places in our community. I visualize montgomery park area extension plan giving another tremendous success like the pearl district has these past two decades. The Portland board ci board stands ready to partner with the city to ensure the success.

Speaker: Thank you. Thank you, sarah hobbs, candice jimenez, chris smith.

Speaker: So yeah, go ahead.

Speaker: For the record, my name is sarah hobbs. What? It's not remembered is two years after the wright brothers flew at kitty hawk, the very first lighter than air flight was held at the lewis and clark exposition. It was a blimp called the dalles, and it was flown from Portland to Vancouver barracks by lincoln blatchley are my paternal great great grandfather, charles briggs. Knox commissioned the building of the gelatin for it and brought it to Portland as advertisement for his company, which was knox gelatin. I have been talking to my family about this plan to make you feel beneficial. Use of the northwest industrial district when it's forgotten is the entrance to the lewis and clark exposition, which stood right there at the very part our family has history, strong history with the montgomery park and we fully support what is proposed. And I look forward to maybe working with the city. I fully support your being recognized. He should be, but pushing out a little more of the history because yes, what was considered by family to be one of my great, great grandfather's silly advertising stunts, of which he had many, was the start of aviation as we know it in the pacific northwest today.

Speaker: Thank you, thank you sir candice. Thank you, mayor Wheeler and council members for your time today. For the record, my name is candice jimenez, a tribal citizen of the confederated tribes of warm springs. I'm also a board member of the Portland harbor community coalition and a member of the york collective. I just want to focus here that my ancestors past, present, and future have also known

these lands. We call Portland as home. I want to amplify the inclusion of the York urban village and the York district plan, which the chief planner noted in her presentation today. This plan includes the permanent affordable housing cooperative, commercial spaces, community gathering, and green spaces that Portland needs. For my comments today, I want to share my concerns with council, which exist as a call to action for today's hearing and the future hearings. The Montgomery Park area plan can still include and deliver upon these requests, even if modifications did delay the city's targeted timeline because there is often little information regarding how transactions like this will benefit, whether public or private, to community. It's crucial to be inclusive of all voices, including prioritizing regional tribes through formal tribal consultation. This path centers government to government relationship building with institutional awareness. From its leadership like yourself. Additionally, this supports trust between parties, including private property owners with tribes and community based groups. As we know, private developers are going to move on transactions where they can make often rapid returns on investment. And this is a repeating pattern of transactional delivery, which the city can perpetuate with systemic inequities, which are upheld by institutional spaces. Community leaders and representatives have gathered with the office of government relations, deputy city administrators and Bts on this priority. We're aware that the city leadership prioritizes tribal relations in its recent comments received from tribal and urban Indian community in the recent weeks, but we also know that current and new city leadership will move on these priorities forward due to these timelines. With the streetcar expansion. We just want to reiterate here that our recommendation with the plan includes tribal consultation as a standard best practice, along with its public benefits agreement and reiterate the need for government to government tribal consultation to your leadership and

centering community context. So I just thank you for your time today for centering black and native community engagement as well. Thank you.

Speaker: Good afternoon. Mayor Wheeler. Members of council, I'm Chris Smith, and I have the honor of serving as the vice chair of the board of Portland Streetcar, Inc. I got involved in streetcar as a project when it was being built in my neighborhood in northwest in the last century, and I've persisted because I learned the value of streetcar is helping create dense, sustainable neighborhoods where people want to live. I view it as part of my climate activism to keep moving this project forward. I've also learned that the formula to make streetcar successful is pretty specific. You need a development opportunity. You need willing property owners and you need to make it fit into the transportation system. And those opportunities don't come along every day. We've managed to make that happen in the Pearl and South Waterfront on the east side. And now this will be our fourth opportunity with Montgomery Park. I'm looking forward to making this happen. The board really has the job of keeping the flame alive as we go through these long processes to deliver streetcar, we're in some ways the face to the community and to the private sector of the streetcar system, and we can be a convener to bring people together to make this happen. And I would personally like to see the board be a partner with the York Collective to make their ambitions come true. As we move this project forward. And I will put in time to make that happen, I'll switch hats and talk about my life. As a 30-year-plus homeowner in northwest Portland, I had the opportunity to watch the reconstruction of 23rd from Burnside to Lovejoy more than a decade ago. Badly needed, still badly needed to the north. We ran out of money so we couldn't go further north in Lovejoy, the opportunity here to rebuild what is a very rugged and potholed street is a critical one. And I will tell you that

personally, as someone who lives between 23rd and 24th, I would happily pay a small amount into an lid to make that happen. So thank you.

Speaker: Thank you chris.

Speaker: Next up we have rick gustafson, gus baum, and rania salvant. Welcome.

Speaker: You can go ahead and start. Okay.

Speaker: Hi. My name is gus baum. I'm director of development for security properties, a large multifamily apartment builder in the Seattle and Portland markets. I guess just wanted to say you guys have had quite a year, you know, you started the year off with the housing regulatory relief package. You've passed six new tif districts, and we have the mpap proposal here before you today. All of these are really good things. I want to emphasize that I'm proud of this council and the work they've done this year, but we're not done yet. I sit on the policy committee of the Oregon smart growth group and I'm just here today to lend my support to the mpap proposal and the amendments that have been brought forward. You know, this aligns with zoning that has been previously long in planning. It establishes a new mixed use development opportunities, and it leverages local dollars with federal matches to bring something like streetcar extensions to the city. You know, these are the kinds of investments that have previously brought Portland national and international attention for its smart growth strategies and approaches, and I am hopeful that this kind of opportunity will pave the way for the next generation of growth and development in the city. Thank you for your time. Thank you.

Speaker: Next up, we have sarah iannarone john, sarah todd zarnitz. Sarah, you're muted.

Speaker: Hi. Good afternoon. My name is sarah iannarone I'm a registered lobbyist representing the street trust and nonprofit dedicated to advocating for safe, accessible, climate resilient transportation system. We're here today in strong

support of the montgomery park area plan and the related transportation infrastructure. Lpa, specifically, the expansion of Portland streetcar network. Portland's widely hailed as the nation's best designed, managed and leveraged streetcar system. We should be proud of growing it in this area of excellence can only enhance the city's reputation and help attract talent and investment, which has been flagging of late. The montgomery park area is uniquely poised to advance the street trust vision of equitable transportation system thanks to its smart blend of land use, affordable housing and transit oriented development. By extending the streetcar, we can better connect Portlanders from diverse backgrounds and income levels to jobs, housing, and essential services. This investment is not only a win for active transportation, but a critical step toward addressing climate goals by reducing emissions and reliance on cars. We believe that the Portland streetcar should serve as a model for sustainable growth, helping Portland fulfill its commitment to equity, access and community development. By approving this plan, you can drive tangible progress toward these outcomes while building a more resilient, connected city. The street trust encourages you to adopt the montgomery park area plan and associated lpa to continue prioritizing rail infrastructure that will create a livable, affordable, and environmentally sound Portland for all. I also wanted to note it was great to hear from that early resident of guild's lake courts. There is someone, doctor tanya marsh, who did her dissertation on that part of town. I encourage the folks working on this to refer to it. They haven't seen it. It's exciting to see what can be happening in this district. At the time, that was the eighth largest housing project in the united states. It had five child care centers, a grade school, a fire station, 2432 units of housing. And it really was something where we could celebrate community and families could find affordable housing and access to jobs. So it's really great to see that being carried forward as well. And

thanks to the folks at the york collective for carrying that message forward as well.
Have a great afternoon.

Speaker: Thank you sir john.

Speaker: Good afternoon, mayor Wheeler, and members of the Portland City Council. For the record, my name is john sarah, and I'm here representing trimet today. Trimet is proud to offer its support for the Portland streetcar montgomery park extension project. This this extension of the north south line will expand the streetcar network, unlocking the opportunity of transit access and the economic development that come that comes with it to spur the development of a new mixed use district in northwest Portland. It will provide greater access through our interconnected transit systems, increasing access to opportunities both in the montgomery park area and throughout the 533 square mile district. The trimet serves with our busses and trains. Major changes a major change has already come to the northwest Portland district, with loss of large industrial tenants. This shift now gives us the opportunity to reimagine the montgomery park area as a place that reflects our shared vision for the future of this city. With the creation of a climate friendly and transit oriented development. By leveraging new land use designations and expanded access to transit, this project will shape a vibrant new district along the montgomery park alignment. This development will follow in the footsteps of past Portland streetcar projects that have already attracted billions of dollars. Investment into the areas like the pearl district and the southwest waterfront that were once underdeveloped and underutilized. The montgomery park extension is also essential to our regional goals regarding housing, transportation, and climate. The montgomery park streetcar will attract thousands of new housing units and hundreds of new jobs. Since 2001, 40% of all new affordable housing and 50% of all new housing in the city has been built. Within a

quarter mile of a streetcar line. This transit oriented development will also connect those living and working in this community to critical destinations across the metro region. Portland streetcar anticipates that this project will attract more than 3000 new daily riders, half of which will be likely transit dependent, providing the climate benefits of green transportation in a sustainable, dense, mixed use neighborhood. Trimet is pleased to support this project and to continue our legacy of partnership with Portland streetcar that has been so instrumental in the economic development and vibrancy of our city and our shared goal of expanding public transportation to the benefit of all. Thank you for your time. Thank you.

Speaker: My name is todd zarnitz, northwest district resident. The total capital cost of the streetcar system to date is \$250 million, and we are today proposing a very short extension to connect the northwest district to a literal industrial wasteland for the low, low price of \$120 million. With the actual streetcar is an extra \$60 million. Where is the money coming from? The impact statement is clear. Funding sources have not been secured. My neighborhood has been peddled a starry eyed, feel good story of federal transportation dollars raining down from upon our fair city, though I think since last week, we have a clearer sense of how the incoming federal executive and legislative branches will be looking upon slow moving, low capacity, costly, utopian minded, but nice to look at. Transportation investment projects. Also, two major funding sources used in previous construction phases are not available at this time. The montgomery park area is not an urban renewal project, so tif financing is not available, and previous funding also included city of Portland parking revenue bonds, which I'm sure you're well aware is in a bear market. So what is left for funding? The amendment isn't asking the city for any money. And now we get to the ugly truth. The only realistic path forward is through a major contribution from a local improvement district, aka property taxes. What streetcar

pbot the city and the boosters have all failed to communicate to the northwest district? Is that a major part of the \$120 million price tag will be necessarily paid for by tens of millions of dollars in increased property taxes and though an area needs a majority vote to approve new taxes, the property owners in the area have agreed to a quid pro quo in which the public benefit agreement in the public benefit agreement where in return for land upzoning, they will accept a streetcar lid, since that land is an automatic yes. The properties along 23rd ave between vaughn and lovejoy will likely be forced into a property tax cramdown, where no amount of no votes could possibly overturn the locked in yes area through the quid pro quo. My request for you is to add an amendment to requiring any streetcar lid to be bifurcated by recent zoning changes, therefore preventing the owners of newly zoned industrial wasteland from imposing property taxes on my neighborhood and also giving the northwest district a fair and honest vote on whether they actually want to raise their own property taxes to fund a streetcar extension to nowhere. Thank you.

Speaker: Thank you, tanya hartnett, corky collier and malu wilkinson.

Speaker: Welcome. Thanks.

Speaker: My name is tanya hartnett, and I am the executive director of working waterfront coalition. I do want to say that we do not oppose this plan, but we do have some recommendations. Mpap is a betrayal of our employment equity commitments. Pbot preliminary racial equity analysis in July 2019 made clear mpap would decrease racial equity. Our surveys, conducted on behalf of bts came to the same conclusions in response, the plan area was reduced, reducing the size of a problem makes it a smaller problem, but still a problem. According to bts data, the majority of the 800 jobs in the public benefits agreement will come from central city, exacerbating high office space vacancies. These are not new jobs. Jobs are

simply being shifted from one part of town to another, using bts data. There is no question that the mpap proposal will create fewer upper mobility jobs for bipoc employees without college degrees than the industrial jobs that would be on the property if the existing comprehensive plan states is maintained, the region's industrial jobs sector raises bipoc wages on average of 20%, higher than the rest of the economy and black income 25% higher than the rest of the economy. Mpap is an intentional loss of equitable jobs, including the montgomery park building, and the jobs calculation makes little sense except for padding the jobs numbers. The building was at this location long before the mpap project, and will remain for a long time. The recovery from its current 40% vacancy will have little to do with impact. There is no legitimate reason to include the building in the jobs target area. The 800 jobs target is calculated based on the previous jobs on esco property. It makes sense to replace them with jobs on the esco property or related new development. The montgomery park building is not a new development. We recommend that job equity be a critical factor, not simply a talking point. This is a combination of wages, percentage of minority employees, and education level required. Require a no net loss of bipoc middle wage jobs. We recommend using bts data on the number of existing Portland jobs that would be moved into the project area, and subtract this from the jobs calculation, and we recommend that montgomery park building be excluded from the jobs calculation or an alternative to the three jobs recommendation above would be a mitigation fund that would create an equal amount of industrial acreage. Thank you.

Speaker: Thank you.

Speaker: My name is corky collier, executive director of columbia corridor association.

Speaker: And I think the electronic shock went to my chair there.

Speaker: So it felt a little something there. We come to you with some recommendations. Tanya mentioned some of them to offset some of the problems with the plan. And I have to say, the property owners have come up with a great vision. I mean, there are some wonderful ideas here, and they are great people that are proposing the plan. But any plan has consequences, and it's up to you at council to make sure that we mitigate for those costs. Costs such as the loss of bipoc jobs. Tanya just mentioned that the staff includes a job mitigation. They've included a job mitigation requirement, and that's wonderful. It's fantastic to see that. But you'll notice that requirement didn't speak to job equity. It also has gotten so distorted and so watered down, so misunderstood that it's really not. It doesn't do very much anymore at all. We suggest switching to an acreage mitigation that will achieve the results in a better way. Looking at the financials of it, well, they're a little hard to decipher, but if I've got it right, there appears to be an awful lot of flexible funds going to this project. \$106,000,136 million. You have to ask yourself what the opportunity cost of all those dollars are. They could go to just about anything else that you want. There's also no transportation maintenance plan. We have a \$4 billion maintenance backlog. Let's not add to that. Require a set aside fund for tracks, electronics, streetcars. Let's stop this cycle of building without a long term maintenance plan. If we're going to move forward with this plan, let's minimize the opportunity cost and unintended consequences. Those are very real and unintended consequences. We can do that. And I stand ready to work with staff, work with the developers, the property owners to do just that. Thank you. Thank you corky.

Speaker: Good afternoon, mayor Wheeler and commissioners, my name is malu wilkinson. I'm the deputy director of planning development and research at metro. I'm here today to really highlight the ongoing collaboration between the city and

metro, and our shared interest in revitalizing the montgomery park area as a transit oriented, mixed use neighborhood with new jobs and affordable housing in really the heart of our region. The proposed streetcar extension and associated land use changes before you today were initially funded by a grant from the federal transit administration that metro applied for on behalf of the city to study the land use opportunities of possible transit system expansions. A streetcar extension would advance important regional goals, including promoting transit use and minimizing greenhouse gas emissions while facilitating access to local businesses and expanding transportation options. The proposed land use changes would allow for new employment opportunities for our region, and would support needed affordable housing near those jobs, facilitating infill and redevelopment of underutilized areas across our region helps to promote the compact urban form that's envisioned in metro's 2040 growth concept. More efficient use of existing and underutilized land can also help reduce the demand for costly outward urban sprawl, helping to preserve farms and forest land. Metro really appreciates the partnership between the city bureaus on this effort. We've been working with the bureau of planning and sustainability on the land use plan, and working with pbot and the Portland streetcar on the streetcar extension, and we really appreciate the updates that your staff have brought to the metro council, mpc and our regional committees. Metro is supportive of the land use plan and the locally preferred alternative as supporting our region's goals. We also support the work with the community to develop the community benefits agreement, helping to improve equity outcomes for the people in our in our region. So we look forward to further collaboration with the city to implement a shared vision for montgomery park. Thank you. Thank you.

Speaker: Commissioner Gonzalez I just had two quick follow up questions.

Speaker: You use the term job equity. Could you be precise in what you mean by that? In this context?

Speaker: It's a combination of race wages, middle wages. So you've heard a lot about middle wages. And that part I think they've achieved. That's good. But really it's how much of a racial. And if you wanted to get their sexual orientation you have. So we did a survey actually with a bts funded survey of this area at the very beginning of the project. And you have roughly about twice as many bipoc employees in the area as the population at large, percentage wise. You also have about almost three times as many folks that are questioning their sexual orientation in the area compared to the population at large. I mean, that's great stuff. That's what you have in those industrial jobs, and it'd be nice to try and mitigate for that.

Speaker: And so the assumption is traditional industrial jobs have a more diverse workforce, both in terms of race and sexual preference than the population as a whole. And you're assuming that with the redevelopment, you're going to have a workforce that's reflective of the population as a whole.

Speaker: Exactly. We know that. And that data holds up locally, statewide and nationally as well.

Speaker: And then the assumption on jobs coming from central city, can you point to something that we've been presented with on that assumption, just so I can make sure I'm tracing where where that assumption comes from?

Speaker: I believe that's in the economic opportunities analysis draft economic opportunities analysis that came out last year. And that is bts data. Okay. Thank you.

Speaker: Thank you.

Speaker: All right. Thank you.

Speaker: That completes testimony.

Speaker: All right. Very good. So colleagues, at this point we have an opportunity for any additional follow up questions from staff. What staff will do? We obviously have the amendments that are open. We're not going to vote on the amendments today. Given that this is a land use type hearing. What we're going to do is we will move them to the next meeting for to be incorporated into. The amendments will be incorporated into the revised documents, but I want to make sure we leave time for any questions that people have at this particular juncture. I had one follow up for staff, I guess. Why don't we have staff come back up? Thank you. Move your legs a little bit.

Speaker: I guess I'm following up on the last question. Just in trying to understand what's in our record right now. So there's a reference to the economic analysis needs analysis done last year. And just the assumptions around migration of jobs from central city to this area. Can you speak to that and to what's in the record currently?

Speaker: Sorry, commissioners. Thank you. Patricia defender. For the record, I was consulting with our supervising planner who staffs the team that does the housing and economic analysis. We're not aware of any data that is being referenced that specifically says that these jobs would be jobs that would be transported from the central city. What we have is data that talks about the fact that there's a high capacity of jobs in the in the central city area, there's significantly more space for jobs than there is demand for jobs in the central city area, but that there's nothing in our data that would suggest that these that these jobs, that this area would, you know, take the jobs from the central city. This is a very different type, type of area. There's an opportunity to create spaces that are not configured in sort of high rise traditional office, but spaces that can accomplish more, sorry, accommodate more

of a campus and accommodate a wide range of uses within a campus setting. So I think that these are very different kinds of jobs, jobs, lands that we're talking about. Okay, I think I follow and what are the current assumptions around funding in the lid.

Speaker: We heard some testimony speculating as to how this may play out.

Speaker: Pbot come back up here.

Speaker: Yeah. And I guess we're really getting at this underlying concern is whether residents and small businesses in the area are going to be most negatively impacted by this. The folks that have happened to be, luckily or unluckily, on along the line relative to the benefits of this and just trying to trace through that.

Speaker: Yes, basically the lid is something that we need to pursue.

Speaker: However, it's its own process, its own legal process that will come to council. We will have a two years of project development to work with the property owners and people, to work out an arrangement based on the legal requirements of lid, and come back to your body to this body for a, for a, for a for a decision along the way. There are many ways in which we can form a lid and certainly it's proportionate to the benefit that people receive. So we're confident that through the process, you know, transparent, based on legal requirements and coming here for a vote, we'll be able to address a lot of the issues.

Speaker: Okay. And then the last question and this gets back to I guess it's a jobs question again. But we heard an idea about a mitigation strategy of sort of acreage as another way to do this. And again, this obviously substantial concern, the density we have state obligations to preserve industrial land and to protect it. They have it happens to generate a lot of great family wage jobs for not just bipoc, but for folks without a college degree. I mean, that's an overwhelming policy consideration for

us. Is the idea of a mitigation strategy that essentially, I guess, is finding acreage somewhere else? Is that plausible? Is that workable here?

Speaker: Commissioner, first, I want to address the issue of the strategy that would assess a mitigation fee for the industrial land. That option was explored earlier in the planning process. There was a proposal to require a per acre fee to the acreage that is of industrial land of additional evaluation sort of revealed that that would actually make future development in the area infeasible. It would add such a significant cost to future development. And so together with the property owners, we explored this other option of the requirement for the middle wage jobs as a way to not have the requirement end up being something that adds to the cost of land and adds to the cost of future development, and therefore makes future development much less feasible.

Speaker: So our approach was to go with an outcome based standard that that can be met. And, and just a reminder that the plain vanilla industrial or employment zoning doesn't come with concrete job targets. It can have the outcomes that have been described. And that's why we think it's a good thing to have industrial sanctuaries. But it doesn't always. You could easily also end up with a warehouse with very few employees. And so we're in our assessment, the trade off of the hypothetical job targets of industrial and generally we were trading that off with a specific, more calibrated target with the benefit agreement.

Speaker: Yeah. Thank you for adding that. I would just add one other thing, which is we did some calculations about if you cleaned up, if you had a fee and cleaned up industrial land, you would likely have jobs densities in the order of what is more traditionally a job density for industrial land. That's ten jobs per acre. So we still think that ultimately this approach will result in a greater, greater number of

middle wage jobs and jobs that we have more of a guarantee that we would actually get than if you were just using zoning. The zoning tool alone.

Speaker: Yeah. I mean, it's hard there's some difficult assumptions to parse out there, right? When you look at the under utilization in central city for comparable space, and if you're adding capacity to similar space, it's just trying to parse through which assumptions really play through. But just one last question here. Just so I'm following. So the public benefits agreements and what that will lead to in terms of jobs, who who is the who are the obligors on that.

Speaker: So the private sector partner, the, the esco site, who will be party to the public benefit agreement, they would be the ones who would be obligated to help generate those new. They would be net new jobs.

Speaker: And we envision that if I just walk me through tangibly how those jobs are created. So they're an obligor on that, on that. But how does that manifest itself? How does it how does that actually so in future development there will be a requirement that they build non nonresidential square footage.

Speaker: So they can't just build only housing. They have to build space for jobs. And by creating that space the expectation is that that space will then yield to, you know, businesses being in the area that will create the jobs. And there's a we'll go into greater detail about this next week when we talk about the public benefit agreement. But there's provisions in the public benefit agreement that ensure kind of a reporting and monitoring at different intervals throughout the life of the public benefit agreement to ensure that that those jobs are being met on site. And if they're not met on site, then there's actually a fee that the property owners would have to pay into existing workforce development and job training funding funds to be used for workforce development and job training.

Speaker: So I'm gonna repeat that back. Make sure I follow so the obligations can be on the landowners. Essentially, they have to create space that creates jobs. We're going to track how well it does that and what types of jobs. And if they're not meeting those goals, then they're going to pay into essentially a fund that would do workforce development.

Speaker: Yes. And then the public benefit agreement says that it's the property owners or any, any future owners. So it ensures that that runs with the land.

Speaker: Yes. Okay. I'm good for now. Thank you.

Speaker: Commissioner Rubio. Thank you. I wanted to first just make a comment that I really love the idea of the city pairing up, continuing to pair up with the community, the york group collective, to seek opportunities to further that concept. So I really hope this type of partnership and coordination can continue to happen. The other point I wanted to make in connection to the questions about funding and the lid, there were there was some there were some comments about concerns about federal funding under the new presidential administration. Can you share a little bit about your comments on that and a surety of that funding?

Speaker: Yes.

Speaker: Well, I do not have a crystal ball. And the record is that the previous, you know, the trump trump administration, administration funded six streetcar extensions during the four years and including it also funded via the metro grant. The work that led to what we're doing right now. So it is not automatic that we may see danger ahead. Of course, we'll be very cautious and fast in our project development and relationship with the federal government.

Speaker: So you don't we don't know what we're going to get it or not. But the availability of that funding has been consistent, despite which administration, many administration is more of a program than a grant.

Speaker: You know, so you just as long as you meet the requirements of the program and you do your environmental studies and you are you're rated and that rating, you get a certain amount of money. You know, it's during this administration has been higher, you know, funding 60, 80%. But typically it's about 50. And that's what we're budgeting for. You know, we hope to get more okay.

Speaker: That's good to hear. Thank you commissioner Ryan.

Speaker: Yeah it's a great conversation we're having right now. And i, I want to say I'm genuinely very supportive of this plan. Some of the people who've come forward about industrial availability is something we just have to make sure that we get all out on the table. So what's our current commercial lease rate? Is what? It's very high downtown, central area. Does anyone know the number?

Speaker: Vacancy rate?

Speaker: I mean, what is it like 30%? It's like nationally one of the highest rate. But our industrial lease rate lease percentage is pretty low.

Speaker: The vacancy rate for industrial. Sorry. Yes, I believe that is true.

Speaker: Yeah. And so I think where where you've been asking questions about is we want to keep providing living wage jobs to live in an expensive city. And especially those that come out of high school, go to into the trades and you know, where are those going to be located. So I think that we're not addressing where these availability of industrial land would be when we know that that lease that rate is under like 5% right now. Correct.

Speaker: The employment opportunities analysis or the economic opportunities analysis, which is a separate project coming to the next council has the outlines, the kind of the math on all this and how we believe we're meeting our employment land needs. And largely there's it's not a problem of acreage. There's a lot of land in our inventory that's constrained by lack of availability of infrastructure or

contamination, things like that. And so the path to freeing up industrial land is not necessarily rezoning land that's in employment. Other uses, it's building a railroad overcrossing to a parcel that doesn't have access, or cleaning up a contaminated site. Those are the kinds of actions you're going to see in the eoa when it comes to council next year. And so that's one of the reasons we don't see this as getting in the way of that.

Speaker: It isn't part of that. Didn't we have to do don't we have to do some cleanup there as well?

Speaker: The esco site, they have already been doing cleanup and they we have information from the department of environmental quality that shows that they have been doing cleanup on the site and that they will continue to do so. Yeah. And the property owners may be able to answer more questions about that.

Speaker: So when you're in the area, there's some wonderful basically our maker economy, the claymation world is that shadowmachine studios is in that area. Have they been engaged in this dialog or anybody who's been in the plan area has had the opportunity to be involved in the process?

Speaker: So I would I would say, yeah, through the many years of this process has been going on, there has been outreach to some of the businesses in that area, and they need access to, you know, freight size vehicles, loading docks and such.

Speaker: So I just my point is, I want to make sure that we get to the specifics that we're still offering, which is very clean industry for the most part, but they need loading docks. They need space to do their their maker work. And a lot of creatives that live in Portland want access to those jobs. And I just don't want to see us take that away in this development. I don't know if that's happening, but it's so close to that area that I thought we should make sure that we get all those details clear to all of us up here.

Speaker: Yeah, one of the speakers alluded to it earlier, which is the new mixed use zoning still allows those uses and so there's no zoning reason why any of those folks would leave, you know, and they have been engaged. Many of them have been engaged in some of the design decisions around streetcar. And that's and will continue to be engaged as as that project goes into further, deeper design. So truck access is something that we pbot talked a lot about on project design.

Speaker: And I think that gets to something very pragmatic that we need to have access for freight to get through parts of our city, and we're seeing that all over where we still everyone a lot of people at home are still ordering many things from amazon, and they want their deliveries to show up on time. And so we need to provide in our transportation system, maybe there needs to be some freight only roads, I don't know, but we need to do something so that they can move along through the city.

Speaker: Yeah, absolutely. The we'll have you know, pending this decision, two years to work with the public, to work to go property by property as we design, you know, the couplet, you know, the streetcar and make sure that we address the issues not as a future development, but actually the existing. If somebody doesn't want to change the land use, you know, we'll work to make sure that as best as we can, it addresses parking, loading and circulation needs and the couplet actually by having two two ways in and out, it's actually quite freight friendly in terms of being able to move a lot of people and larger vehicles.

Speaker: I mean, I've been around long enough to understand the testimony from al sondheim earlier about the pearl district and, you know, really saw my artist friends that were in that area really enjoyed it. And then obviously it changed. And that's okay. But as we as we keep moving out, how can we land this one? So it is

much more of a hybrid mixed use development. And I starting to get that picture from the vision, but it could use a little more fine tuning. I think before the vote.

Speaker: Yeah, I will just add commissioner Ryan that as I tried to emphasize in the presentation, it's the combination of requiring the nonresidential square footage, the combination of also giving and having incentives, particularly for that area. There's an area kind of between 23rd and 24th where a lot of the smaller that smaller industrial and the smaller users are, there's incentives to retain those uses and to have more of those uses. So, you know, by giving actually being able to give more credit to the square footage in if they are in those uses, as opposed to office or retail uses. So those are all attempts. I mean, zoning is not a perfect tool to accomplish all these different things, as we know, but this is all an attempt to try to realize that kind of future where those uses can can still coexist there and can can coexist with all the new uses that might come to the area as well.

Speaker: Now, Portland needs investments. Right now, we need some wins. And I noticed seeing that we have people who are often on the same side of the lobby in terms of that, having some creative tension here, and I just want to keep noodling through that creative tension that I heard today. And how we can move forward with that in mind, but really be open to it, especially with my concern that we need access to that type of land and development for good jobs, especially in the maker space area. Yeah. Thank you. And they can't schlep everything on a streetcar. They need a big vehicle. Right. Okay. I think that's it. I'm definitely supportive. Just want to work out some kinks here because this was some great testimony today.

Speaker: Great. Thank you commissioner and colleagues, just to confirm, nobody else wants to offer up any additional amendments. Is that correct at this time?

Speaker: Okay.

Speaker: Very good at this point that I'm closing oral testimony, but I will keep the record for written testimony open until December third at 5 p.m. The next step, then, is for staff to return with the revised documents that incorporate the amendments that were all proposed earlier. This item is therefore continued to the City Council meeting on December 4th at 10:25 a.m. Time. Certain to vote both on the amendments as well as the replacement document.

Speaker: And I would just like staff to announce for the record, when amendments for the public to be able to comment, it will be before the written record closes.

Speaker: It will be before the record closes. We plan to post the updated documents on November 27th.

Speaker: Okay, so they'll be on November 27th on bwp's web page webpage? Yes, for the project. So the project web page, the bts project web page.

Speaker: Yes.

Speaker: Okay, good. I just want to say this is outstanding work. And I really appreciate the depth as well as the breadth of the public testimony we had today. It's very obvious that you've been engaging the community at a very detailed level. That's great for all of us. So thank you for the hard work you've put into this over many, many years. And I also want to thank our community partners, many of whom testified today for helping to materially shape this. We'll take a recess. It's now 416. We'll reconvene at 431 to take up the tree code. We're in recess. Thank you.

Speaker: Thank you. For. Your.

Speaker: To.

Speaker: Reconvene, please. I can't tell if my mic is on because.

Speaker: No.

Speaker: Okay, great. Welcome, everybody. We're back in session 989, which is the first reading of an emergency ordinance. Thank you for your patience.

Speaker: Amend tree preservation standards code to continue current regulations for preservation of private trees.

Speaker: Sonia, our dca good afternoon.

Speaker: I'm sonia shimanski, deputy city administrator for the vibrant communities service area. Portland's tree canopy is noticed and valued by residents and visitors and our iconic native evergreen trees tell you unmistakably, that you're in the pacific northwest. This infrastructure is central to our climate action response supports cooler, calmer, healthier neighborhoods and neighbors, improves air quality, makes our streets safer, and helps us manage stormwater. The item before you today extends what is currently a temporary amendment to title 11, the city's tree code that will otherwise sunset on December 31st. The provision in question sets preservation and mitigation requirements for certain large trees in certain private property development scenarios. You will hear from the team that it's a subset of a subset. The action is recommended by the urban forestry commission and the planning commission, members of which are here virtually today to share their support. City forester jen cairo and brian lando with the urban forestry team will tell you about the impact of this provision on the multiple policy goals we seek to balance in development situations, and they can also speak to the upcoming overall review of title 11. Then you'll hear from our colleagues with the planning and urban forestry commissions and testimony and discussion. And then we'll be wrapped up.

Speaker: Awesome. Thank you.

Speaker: Thank you. Good afternoon, mayor and council members. I'm jen cairo. I use she her pronouns. I'm the city forester and urban forestry manager. Presenting

with me today is urban forestry. Brian Lando, who has led this project. Also present today are Portland Parks and Recreation Director Long and staff from Portland Permitting and Development and the Bureau of Planning and Sustainability. They have been partners with Portland Parks and Recreation, Urban Forestry, in preparing and recommending this amendment to you next. The large tree amendment is a provision of Title 11, the tree code. It was adopted in 2016, in response to community concern about large trees being removed in private property development situations. Prior a flat fee, regardless of tree size, was assessed when certain limited trees were removed as part of a development project. The large tree amendment placed a variable fee, which increased with the size of the tree for trees 36in diameter at breast height or d.b.h 4.5ft off the ground. In 2020, at the recommendation of the Urban Forestry Commission and the Planning and Sustainability Commission, and following staff and consultant analyses, City Council altered the large tree amendment to apply to trees 20in or greater. The large tree amendment is set to sunset at the end of this calendar year. The Urban Forestry Commission, Planning Commission and city staff recommend that City Council remove the sunset date clause, which would make the large tree amendment an ongoing part of Title 11. This is the amendment being submitted for your consideration today. Our presentation starts with relevant information about urban trees, moves to Portland's tree regulations, then gives details about the provisions and win-win outcomes of the large tree amendment, and concludes with statements from representatives of the Urban Forestry and Planning Commission's. Urban trees are indispensable to city life rather than a nice-to-have. Urban trees are essential to the health and well-being of people, as well as the environment and climate response. The cooling provided by urban forests increases community resilience to worsening heat waves. Access to trees also reduces individual stress,

improves mental health, strengthens immune systems, reduces crime, and improves student academic performance among many other benefits and services. For example, the results of a clinical trial published this year confirmed findings previously shown again and again that people living in neighborhoods with higher tree canopy have lower risk of heart disease, diabetes and even some types of cancer. These health improvements are comparable to the benefits from regular exercise. A u.s. Forest service study in Portland, utilizing 30 years of tree planting data, found one premature death was prevented for every 100 trees planted. Further, a 2017 study in Philadelphia found increased tree canopy was associated with reductions in gun violence. Trees also improve air quality and manage stormwater on site, reducing costly city stormwater management system. In other words, decades of research time and again has affirmed that trees are effective solutions to some of the most pressing urban, environmental, social and public health needs facing communities, including Portland and of course, one of Portland's unique and best loved features is its urban forest. Despite Portland's reputation as a green city and our nationally recognized system of parks, natural areas and trails, Portland's tree canopy is not equitably distributed. On the west side of the Willamette River, Portlanders enjoy an average tree canopy cover of 56%, excluding Forest Park, it's still 46% average cover. On the east side, average canopy is just 22%, which is roughly equivalent to the cover for the city of Los Angeles. Lower canopy neighborhoods are strongly associated with lower incomes and larger proportions of communities of color. Lower canopy neighborhoods are significantly more impacted by high heat and urban heat island effect, which are exacerbated by the climate crisis. This is illustrated in this slide derived from city. Portland State University and Multnomah County data in the map on the left. The lighter the area, the fewer the trees on the right, the more brown, the higher the

temperatures. The light areas on the left closely match the brown areas on the right. Fewer trees means higher heat. In 2021, over 50 people died in the Portland area, largely in low canopy areas due to high heat. The large tree amendment is about. Trees 20in dbh or greater. Trees 20in or larger are relatively scarce in Portland, and they also provide outsized value in public health, economic and environmental services. Only 13% of Portland's trees are this size, but they account for nearly 60% of the total service value of Portland's urban forest. It's for this reason that the 20 inch threshold is common for increased mitigation requirements, and why removing the sunset date is important. When a tree is removed, the services that tree was providing are lost immediately, and they're lost for decades after. If not forever. New trees take decades to grow and provide comparable service and benefits to a large tree that's been removed. Tree planting is about long term replacement and growth. It's not a near-term mitigation. Also, where trees are removed, they are often not replanted or the replanted trees don't survive. That's why we have clear and objective standards like the large tree amendment to help facilitate development, while also preserving canopy tree planting is necessary to closing the gap between low and high canopy communities, but it's essential that we not create new disparities. At the same time, the sizable community efforts and public investment in tree planting must be accompanied by preserving prior investments and retaining existing healthy and stable trees. Portlanders have consistently expressed that tree preservation is a priority in 2020, the last time the issue of the large tree amendment was before City Council staff conducted extensive community engagement, including a community survey with 2600 responses, an online community forum, and stakeholder interviews. 81% of survey respondents supported the increased tree preservation requirement further over the last year, urban forestry has conducted extensive community outreach

and engagement as part of the process to update the Portland urban forest plan. We have heard overwhelmingly through that process that preserving and growing our urban forest are essential. The necessity of tree preservation to meet Portland's climate action, environmental livability and public health goals is further documented in numerous city plans and policies. Some examples of these include the Portland watershed management plan, the climate action plan, and the 2035 comprehensive plan. Among others. All right.

Speaker: Good afternoon.

Speaker: My name is Brian Lando, and I'm with urban forestry.

Speaker: I'm going to now provide a brief overview of the Title 11 and private development. And before speaking specifically to the large tree amendment, Title 11 is the city's tree code. It's one of the implementation measures of the 2004 urban forest management plan, which called for the protection, preservation, restoration and expansion of Portland's urban forest. Specifically, it noted that a healthy urban forest contributes to the economic vitality of the city, provides environmental stability, and ensures a better quality of life. Title 11 is more than just permits. It provides for a programmatic, regulatory and technical framework to manage trees as a critical public infrastructure that they are. Urban forestry under the direction of the city forester is the lead implementer of Title 11. Urban forestry has policymaking responsibility, developed specifications and standards, and implements permitting requirements in non-development situations and for city trees. Portland permitting and development reviews, permits and private property development and associated public works in partnership with urban forestry. In private development situations, which is where the large tree amendment applies. Portland's tree code provides a clear and objective standard for regulating tree preservation and removal. The majority of trees can be removed without any mitigation payments

required, with the rare exception of heritage trees. Title 11 does not require the preservation and protection of any on site trees in private development. Instead, the code provides the option of paying a mitigation fee in lieu of preserving trees. The code provides flexibility for how trees can be preserved and protected to accommodate the desired development of the site. There are also multiple exemptions to preserving requirements, which i'll go into on the next slide. There are numerous exemptions to title 11 tree preservation requirements, which significantly limit the breadth of the city's tree code. In private development. All dead, dying, dangerous and nuisance species trees are exempt. All trees under 12in d.b.h, which account for about 67% of the trees in Portland, are also exempt, and affordable housing projects are exempt as well. And then importantly, lots under 5000ft² and projects with proposed or existing 85% or more building coverage are exempt. These last two cover 79% of the residential unit capacity in the buildable lands inventory. This map shows the geographic distribution of those. Those last two exemptions in red are lots under 5000ft². These are exempt from all private property development. Tree preservation requirements, which means trees can be removed without any mitigation fees. These are smaller infill lots, generally in close in neighborhoods, and they account for 10% of Portland's housing capacity in blue. Our lots with zoning, which allow for buildings to cover 85% or more of the lot. These lots are found in higher density areas in the central city and in centers and corridors where 69% of Portland's housing is expected to be built. Projects which take advantage of this allowable building coverage are exempt from tree preservation requirements. Taken together, these exemptions account for almost 80% of Portland's future housing capacity. Projects meeting the exemptions are not required to preserve any trees or pay mitigation for removing them. Given these exemptions, the large tree amendment is a targeted preservation and mitigation

strategy for Portland's largest and most valuable trees, and it only applies outside the areas where most most of Portland's housing will be will be built. Now moving to the large tree amendment. The large tree amendment was designed to be responsive to widespread community concern around the loss of large trees, while continuing to support title 11 clear and objective requirements. Preservation is the priority given the significant public and environmental health benefits which are lost for decades when trees are removed and finally, if trees are removed, which will happen in a growing and changing city. The large tree mitigation fee better approximates the value of the services lost and funds for future future tree planting. Here's how the large tree amendment works within the tree preservation and mitigation framework of title 11. First, all dead, dying, dangerous and nuisance species trees are exempt. They can be removed without any mitigation fee. From there, all healthy trees under 12in can also be removed without any mitigation fee for medium sized trees, between 12in and 20in, two thirds of those can be removed without any mitigation fee. So in this image in the second column, the two lighter green trees are removed to show zero mitigation and the remaining one third of trees on the site shown here in dark green, can also be removed, but would require a fee of \$1,800 per tree that fee is the same regardless of the size of the tree with the large tree amendment does is it sets a higher mitigation fee for any tree 20in or greater. That is removed. That's the final column on the right. The fee is currently \$450 per diameter. Inch of the tree, so it would be \$9,000 for a 20 inch tree, and it would increase from there. If the sunset clause is not removed and the provision of the large tree amendment were to expire at the end of this year, the protection for trees 20in or larger would be eliminated in the example here, the medium and large tree could be removed without any mitigation. As part of the allowance to remove two thirds of trees on site. If the large tree amendment sunsets at the end

of this year, it would almost certainly lead to a significant increase in the number of large trees removed before the large tree amendment. Protected trees 20in or greater, an average of 365 large trees were removed annually after City Council's action in 2020, the average decrease by 68% to 114 trees annually. And while this coincided with the drop in development, many projects were already in the pipeline through the covid years and continued to be built. In short, the large tree amendment has been effective at preserving Portland's largest and most valuable trees. That success in preserving trees has not come at the expense of new housing. In 2020, we commissioned Johnson Economics to determine the projected impact of the large tree amendment. That report projected that just 2.7 fewer housing units would be produced per year over a 20 year period, and by housing unit, we mean a number of dwelling spaces. So a single family home would be one unit, a duplex would be two. Between 2021 and 2023, just 62 housing projects paid a mitigation fee. Under the large tree amendment. That's fewer than 3% of the housing projects during that period. And for the projects that did pay the mitigation equaled less than one one 1% of the total value of those projects. This is consistent with the Johnson Economics analysis as to be expected, given that the large tree amendment does not apply on the lots where 80% of Portland's housing units are expected to be built, and the scarcity of trees of this size. Mitigation fees are deposited into the city's tree planting and preservation fund, which was established in 2015 by title 11. The fund is required to be used for the planting and establishment of new trees, and that work is guided by the city's tree planting strategy. The fund has supported the planting of 42,000 trees since 2015. Urban forestry is currently planting 3500 trees annually, with the support of the tree planting fund, planting establishment outcomes are monitored and have a 95% survivability rate. This is commendable relative to other urban tree planting

programs nationwide, and indicates the success of the program. And then this map here shows where trees have been planted. In keeping with the tree planting strategy, planting is centered in low canopy, low income and communities of color. Blue shows lower planting, with yellow showing the highest, highest, highest planting activity. In other words, city tree planting is directly addressing Portland's canopy inequity and increasing tree services like public health and climate climate resilience for those that need need them most. On July 23rd, 2024, the urban forestry commission and planning commission held a public hearing to consider the proposal to remove the sunset date from the tree amendment. In the months before this hearing, staff conducted outreach to interested organizations, including the development review advisory committee, which did not express any concerns. More than 60 in-person and written comments were received at the hearing, with all but one in support of removing the sunset clause. This included statements and support from organizations like Portland neighbors, welcome, bird alliance of Oregon, the east and west, Multnomah County soil and water conservation districts, and willamette riverkeeper. Following the hearing, the ufc and planning commission both voted unanimously to recommend the City Council remove the remove the sunset clause and then lastly, here's the text of the proposed amendment, which removes the sunset. The December 31st, 2004 sunset clause. I will now turn it over to megan vandermark with the urban forestry commission, followed by mary jane o'meara with the city's planning commission.

Speaker: Good afternoon. And practically. Evening, mayor and city commissioners. My name is megan vandermark, and I'm here today speaking on behalf of the Portland urban forestry commission, also known as the ufc. We, the urban forestry commission, strongly support the removal of the sunset clause from the large tree amendment. And we urge you to make this critical change to ensure the continued

preservation of Portland's largest and most vital trees. This recommendation was, as Brian spoke to unanimously, unanimously approved at our August 15th, 2024 meeting for nearly ten years, the urban forestry commission has been actively engaged with this issue, beginning with the original amendment in 2016. The large tree amendment is Portland's best and currently only tool to protect the mature trees that provide essential environmental, public health and quality of life benefits to our communities. These trees are irreplaceable and once gone, they are gone forever. So are the benefits they provide, which urban forestry urban forestry spoke to more in depth earlier? You know, it really is no small feat for an urban tree to reach maturity. And when trees are removed, it can take many decades for replacement trees to reach maturity. If they ever do, we need to ensure they can make it to maturity and are protected once they make it to maturity on July 23rd, 2024, the UFC and the planning commission held a joint public hearing. I was, as was noted on this proposed amendment, we received, you know, that more than 60 comments from Portlanders, the individuals and organizations who strongly supported extending and strengthening this policy. They voiced the community's strong desire to protect our urban forest, urban forestry. Cairo also shared earlier how the community has continuously expressed strong support for increasing tree preservation and ensuring Portland's trees are preserved. I urge you to consider all of their voices as well. When you make your decision. The UFC firmly believes that Portland must pursue policies that address both the climate crisis and the housing crisis simultaneously. You know, the analysis conducted by city staff has demonstrated that the provisions of Title 11, including the large tree amendment, have been effective in preserving mature trees while not hindering the development of much needed housing. This is not an either or issue. It really is a both. And you know, we can and must maintain and expand Portland urban forest

while accommodating responsible growth and development. Right? You know, this balance is really key to sustaining the livability of our city as it grows. And so really, in conclusion, removing the sunset clause is a simple but powerful step that will ensure Portland continues to benefit from a healthy, resilient urban forest that is really integral to our climate action goals. Our public health, and our overall well-being. We ask you to support this policy change, really for the trees, but for the community and for the future of Portland. So thank you for your time, consideration and commitment to our city's long term sustainable future.

Speaker: Thanks, Megan.

Speaker: Hi. I think I'm up next.

Speaker: I'm Mary O'Meara. Good evening, Mayor Wheeler and commissioners. I'm representing the City of Portland Planning Commission and it's a pleasure to serve as the chair of the planning commission. And I'm really excited to present our unanimous approval to recommend adoption to City Council of the Title 11 tree code amendments. And as you've heard, this also represents the removal of the sunset of the preservation of large trees and our city forestry code. Our planning commission met with the urban forestry commission, and it was a real pleasure to have that joint meeting on July 23rd of this year. And then we met as a planning commission on August 13th. And again, we unanimously approved this to move forward to City Council with our recommendation. We really appreciated hearing and seeing the overwhelming public support for these amendments as you've heard, the comments we received emphasized the importance of large trees in mitigating the public health impacts of climate change and supporting healthy communities overall. We also saw that, coupled with these public health benefits, the current requirements for tree preservation have not presented significant barriers to housing production. And given the exemption for these requirements

for affordable housing, developers, commissioners felt further resolved. In our recommendation to adopt these amendments. We appreciate the collaboration of our colleagues on the urban forestry commission and the staff at Portland parks and recreation and planning and sustainability for advancing this important work to protect and preserve our large tree urban canopy.

Speaker: Thank you so much. Thank you very much.

Speaker: Okay, now we go to testimony.

Speaker: Could we ask some questions? First? I have a bunch, if that's okay.

Speaker: Short answers are really good. Who decides whether a tree is dead, dying or dangerous?

Speaker: Thanks for the question, mayor. The property owner can submit arborist reports to that effect, and those are evaluated by technical staff in the city.

Speaker: Okay. Thank you. Our utilities exempt. I notice they're doing a lot of trimming, probably as a result of what happened last year during the ice storm.

Speaker: They generally aren't developing property, so it's only if you're developing a property. And yeah, it's private property development.

Speaker: So all that regular stuff you see is not this all separate.

Speaker: This is only for the purposes of development. Perfect. Thank you for that clarification. The tree planting fund and I should know this and I don't is that that's also on private land I assume. Is that correct.

Speaker: The tree planting and preservation fund can be used on any type of land. Okay.

Speaker: Great. And at some point maybe you could do a psa and let people know how they can get access to that. Because there might be some people with an interest. I was really impressed with with the health benefits of trees. And I'm

wondering if all trees are the same as we look at the code. Is any big tree. It seems like size. Oh my gosh, I can't believe I just backed myself into this one.

Speaker: Don't do it.

Speaker: Is it the only? It's important. It's always important, michael. Is it the only criteria or. There are certain types of trees that are more valuable from an environmental or public health perspective.

Speaker: Great question. The larger the tree, the more health benefits, however species matters. It's the foresters version of what you were going to say in general, evergreen trees because they are producing all year round, create more of those benefits. For example.

Speaker: Thank you. And that was even more subtle and more hilarious than what I said. I've always wondered just about as one is developing a property, and I could have this totally wrong. But it seems to me if you have a very large tree on a property and you showed some photographs of recent developments where they maintained the trees, increase the property value, decrease the property value, not have an impact, where would you come down on that?

Speaker: Well, we needn't come down on it because consistent studies have shown that indeed retaining large, healthy trees increases the property value as much as 15%. And that's a real estate transaction study.

Speaker: That's that's what I would think. But I didn't know for sure. Thank you for that. Since there are clear, definable public health benefits which have been validated by what I will call credible public health organizations, has there been any discussion about using public health dollars or medicaid reimbursements or other types of sources of funding for a program like this, or is that just too far out of the pale?

Speaker: I haven't heard of those things. That doesn't mean they're not happening. And that is an interesting idea.

Speaker: Okay, I'll take that up in eight and a half weeks and then I just know that there's a lot of places where people are cutting down trees here in the state of Oregon around their houses, because we have a wildfire problem in the state of Oregon. Is that an issue that competes potentially with these policies? No.

Speaker: Here's why. Again, this is just about private properties and development situations. Wildfire management is also something that we and others in the city are engaged with. And there are specific practices mostly put forward by the United States Forest Service, as well as local fire departments, on how to remove vegetation to reduce wildfire risk to private properties, but would that dominate this?

Speaker: Does that come higher in the higher hierarchy? If a fire marshal goes out and says, this is too close to the house and it's a risk?

Speaker: Yeah, in general we're going to we're going to get into the details a little bit here. But in general, tree removal is not part of wildfire management. Creating that safe wildland urban interface. Generally it's removal of what we call ladder fuels. Okay. So those are shrubs, leafy things, dry things that are closer to the ground or removing lower branches from trees generally.

Speaker: Okay. That's all very helpful. Thank you. Those are my questions. I don't know if anybody else has any at this particular juncture. Public testimony. How many folks do we have signed up?

Speaker: 20 people, two minutes each.

Speaker: Name for the record, please.

Speaker: First up we have Kina Rubin, followed by Micah Mezcal and Justin Would.

Speaker: Thank you for the presentation. Welcome.

Speaker: Thank you. I'm kina rubin with trees for life Oregon. We work to preserve healthy, existing big trees and space to plant new ones. And our low canopy areas lead nearby residents, especially vulnerable to scorching heat of an intensity that has already proved lethal. This is one of the reasons we strongly support making large tree amendment permanent. As you've heard, research has shown for some time that heat and pollution are closely tied to public health. A newly released study by a multidisciplinary team of experts in louisville, kentucky, found that the introduction of large canopy trees to highly polluted areas of the city had a measurable positive effect on the health of residents living near them. Among multiple other benefits, preserving large form trees 20in in diameter or greater as Portland's large tree amendment does, can save public dollars by improving public health. City analysis, which we are grateful to urban forestry for providing, shows that the amendment is helping preserve some of the large canopy trees that provide the most health and environmental benefits to Portlanders. City data also finds that the amendment, which only applies to 13% of the city's urban forest, has had a negligible impact on new housing development. Keeping this amendment in title 11 is simply the right thing to do. We still have a long way to go to protect the majority of big trees that constitute our climate stalwarts. In July, new york people about dangerously hot cities, psu professor vivek chanda said about Portland. The longer term sustained deep retrofit that the city needs in order to be prepared for the increasing intensity and frequency of these heat waves. I have yet to see any of that. Recent national election results do not bode well for further federal supported climate solutions. More than ever, it's up to our local leaders at the Portland city level to double down and preserve our invaluable fig trees. Thank you. Thank you. Micah.

Speaker: Good evening, mayor and council. My name is micah mescal and I'm the assistant director of urban conservation with bird alliance of Oregon. And i'll start off with a plea to urge you all to make the large tree protections permanent, as recommended by staff and planning and sustainability commission and ufc and in preparing my testimony today, it was both easy and difficult and that this is now the sixth time that I've either testified to the planning commission or to council on this, and it is difficult in that this was the first major tree policy that I worked closely with a late colleague of mine, bob salinger, who is not here today, and that experience was formative to me as an advocate in that I was able to work with bob on crafting a policy to solve an acute problem, to lobby or to work collaboratively with with commissioners fish and fritz to create that policy and their staff to sort of build a coalition to ultimately pass and not to end there, but to continue to improve it over time, as this is now the third time that this is coming in front of council. And I learned a lot from that process. And I miss having him next to me in, in urging you all to, to support it. Another time. We had joked just a few months back about the need the groundhog day impact of needing to organize around this again. And so yeah, it's more important than ever to memorialize this policy, to ensure that more of our city's remaining large trees are preserved, to provide habitat, reduce temperatures, reduce flooding, increase neighborhood livability. And I'm sure that we'll hear a little bit about how a few lots have been encumbered by a few in a few development opportunities and by this policy, and I just want to give a quick response that this is part of the balance of title 11 and so many other sections of the code. There are exemptions that clearly allow development to be prioritized over tree protections, and preservation of our largest trees deserve priority in certain circumstances and I believe this is one of them.

Speaker: Micah, thank you for your testimony and thank you for remembering bob by way of history. My recollection is he was always the first person to testify on this. He made sure that he signed up right away and got the first word. And so he's very much present here today. Thank you for remembering him for us. Thanks.

Speaker: Justin. Hope everybody can hear me. Okay. Loud and clear. I think it's good evening. Now, mr. Mayor, members of the council. My name is justin wood. I'm an original infill builder from Portland. Been doing it for almost 25 years now. I'm also one of the original title 11 tree stakeholders. I served on the working group actually with bob salinger back in the day when we were on that about almost ten years ago now in 2015, and we had some pretty good debates and arguments over the value and what we wanted to do to strike a balance. Just when we originally came to council in 2015 with this, one of the charges that we were given when we on title 11 was to try to strike a balance between how do we have density, affordability and preserve the tree canopy, which is where we originally settled on 36in as a tree? As of trying to find that balance, just to give everybody some reference here, 20in is basically the width of my computer screen and when we had tree modeling all put together and we brought council back then 36in was where we ultimately all settled on. I don't believe that 20in currently is a strikes a good balance and I think that we need to reexamine that right now. The larger the people building the larger homes and the larger projects can afford to absorb this, the more expensive projects can afford to absorb this. And the guys building the small a subsidized large a subsidized projects can absorb this because it's waved. The people that this impacts most are the people like myself that are trying to do entry level, first time infill projects. Just recently we looked at a project that had three trees on it, measuring approximately 30in, 26in and 30in. It was a500 zero square foot lot. It was not exempt. To remove those three trees alone would have cost us

\$38,000. So we passed on that lot. That is a lot that otherwise should be developed on. It's in a good area. It's got lots of transit service and I don't know that it will develop, at least in my price range of products. I would like to just a couple of things I heard. Part of the reason you're seeing that the this the bds and urban forestry have seen a drop off in the number of tree removal permits is a lot of builders, such as myself, when they see projects that have large trees on them, they simply walk away. And as we heard from somebody earlier today in metro, we try to strike a balance in this region of preserving farm and forest land and preserving our forest, our forestry outside of the city. So I just ask that we really try to strike that balance because we've been asking for infill affordability and density for years. And now that we're finally having it, I don't think we have that balanced. And last question, I'm sorry to just, mr. Mayor, you had asked earlier about large tree developments on lots, and I will say that just an answer. Your question is when you have a 5000 square foot lot and you have one tree in the middle of it, there's absolutely nothing you can do to preserve that tree and still build on that lot. So you are put in a position of either having to build on the lot and pay the fee, or move the tree. There is no balance of that. So thank you.

Speaker: Thank you justin.

Speaker: Next up we have ellen mendoza, lynn hanlon and brenna bell.

Speaker: Thank you for being here. This.

Speaker: Good afternoon. My name is ellen mendoza. I'm a member of 350 pdx and friends of trees testifying in favor of this proposed amendment of the tree code to continue current regulation for preservation of private trees. We are living in a climate emergency.

Speaker: It is time for Portland to act like it. So states the city's climate emergency work plan for 2022 to 25. One of the work plan's priorities is to update title 11

regulations to improve tree preservation. Obviously, taking this action will will do that. The urban forestry and parks commission's unanimously support this ordinance, which continues to require developers to pay higher fees when removing larger trees. These fees directly fund the planting of new urban trees and as noted in the impact statement, the change in the fee structure has had minimal negative impact to housing development. While also resulting in a 68% drop in the removal of large trees. In other words, the ordinance works. It is often said that the best time to plant a tree is 20 years ago, but really, that time frame should be 50 or 100 years. In early years, Portland was known as stumptown, but 100 years later, some large trees have actually grown back. We now need those trees more than ever to mitigate the effects of global warming. Portland residents consistently support preservation of large trees, but trees must also be tended to ensure they are healthy and safe. Thus, we should also implement programs to provide for city maintenance of public facing trees. A sunset clause is a way to try a new approach to see if it works. The analysis has proved that the higher fees do save large trees and do not harm housing development. Therefore, vote to approve this ordinance. Thank you. Thank you.

Speaker: Hi, my name is Lynn Hanlon and I'm with Extinction Rebellion PDX. Also, I'm a small business owner in outer southeast Portland, an area with some of the worst heat islands. As you saw by the map made worse by city actions, including the outer southeast division street debacle, where we got more concrete instead of trees. This City Council is responsible for that.

Speaker: And today you have a chance to do something small, but something to help prevent more heat.

Speaker: Island expansions make the large tree amendment permanent.

Speaker: This amendment helps preserve large canopy trees. It had little or no impact on low income housing production, and honestly, I don't know why there's the exemption for low income housing. I feel like people living in low income housing also deserve trees, so I think you work around it and, you know, make allowances for that. But whatever. Here we are. I am glad that the City Council does acknowledge that trees are critical infrastructure, not just beautiful, although they do add beauty to our city and positive impacts on mental health, reducing crime, severity of flooding and really trees just make us all feel a little bit better when we could all use that. And then of course, there's the whole climate change thing. Trees sequester carbon, so trees, especially mature trees, both slow climate change and mitigate for the harm caused by climate change. We are in a climate emergency. I know you guys are aware of that, but sometimes I wonder at this time it's more important than ever that climate action, especially climate justice action, is done at the local level. I, I honestly wish that there was so much more in this amendment. I mean, we hear all these incredible impacts and the financial and health and everything else of trees. So, so important. And yet we have this amendment that will help save some of them. But like, it should be so much more. I'm glad that this is a thing. And I'm assuming you're all going to vote for this on your way out the door. I hope you all do something really good for our city. It's time. Thanks. Thank you.

Speaker: Hey, council and mayor Wheeler, my name is Brenna Bell, and I'm the 350 PDX Force climate manager. And the facilitator of the Portland Shade Equity Coalition. And you've heard a lot about the public health benefits of trees.

Speaker: And I kind of to do something different. I want to talk about the public emotional benefits of trees. Last week, we had a lot of bad news. As Micah mentioned, it started with losing just the excellent Bob Salinger who should be in

this room right now advocating for the large tree protections that he helped create. And then, honestly, the election results were deeply unsettling to many Portlanders. And there's this sense of instability and uncertainty about what comes next. And in so many conversations since then, I'm like, how are you doing? And people are like, oh my gosh, the trees this fall are so amazing. And that's what gives me solace. I mean, have you noticed they're amazing. The leaves are just shining brightly through the sun and the rain and the trees that help us feel the most grounded are the big ones, because they're the ones that have grown up with this city, and they mark the passage of time with their bodies, and they remind us how to hold steady during great change. And as you've heard, trees like this need time and space to grow. Each one we lose is irreplaceable in our lifetimes or our children's lifetimes. And some, like western red cedars, might never grow back because climate change is impacting the conditions they need to thrive. So we need more housing. We all know that. But we also could make it easier for developers to build creatively on their lots to exchange, like to maintain existing large form trees. There are many things we could do that are not cutting the tree down. That's not what we need in this time is to lose more trees. So I want to thank you for your part in keeping these trees standing and giving shade and solace to the next generation. Thank you.

Speaker: Next up we have rick till, diane meisenhelder, and jan zuckerman.

Speaker: Thank you, City Council and mayor Wheeler, my name is rick till. I'm a resident of the foster-powell neighborhood, one of the low canopy neighborhoods in the city. I'm also an isa board certified master arborist. Harkening back to bob, I was also on the east Multnomah soil and water conservation district board with him for eight years, and I did not plan on commenting today until I found out that he would not be here. And so I was motivated to show up and give some input. First

off, I do support the amendment for all the reasons that people are outlining for you as an arborist, I give some additional context on how this plays out in tree preservation. The amendment effectively gives property owners and developers a moment to pause before proceeding with development, and consider alternative designs that allow tree preservation and development to proceed. We do have tools in the design toolbox to make this happen. I won't belabor you with the details. Involves a lot of different alternative foundation designs and siting considerations, but we can. We've had great success in building close to mature trees. I won't say that we can save every tree, and I can't say that it always is the least expensive option, but I can say this amendment is critical to driving the innovation that allows the city to be green, vibrant, and full of affordable housing. I do think there's room for more collaboration between developers, arborists and the city, but that those issues are a bit bigger than the this. It's a can of worms for the decision you have in front of you. This is a great idea and I really encourage you to adopt the amendment and thank you for the opportunity to comment.

Speaker: Thank you. We appreciate your doing so.

Speaker: I'm Diane Meisenhelder, and as part of a global climate movement, the best climate scientists say that we have less than five short years to cut emissions in half or face dire consequences. Since we're already rushing headlong toward having blown past the 1.5°C mark, the sequester benefit sequestration benefits alone of saving large trees should be sufficient to make this an open and shut decision. Your staff and others have listed all of the amazing reasons that trees are valuable, irreplaceable, community resource. So I'm not going to go through all of those. And your own data show how effective this amendment has been with a 68% reduction in the cutting of large trees and negligible impact on housing. It's funds have contributed to 12,000 trees being planted in priority neighborhoods needing

shade equity. For me, this became a personal issue when last year, a developer torn down the house across the street and planned to cut the giant sequoia in the corner of the lot that was home to red tailed hawks and loved by so many neighbors. Fortunately, we were able to prevail and the tree was saved. But I'm sure that that would not have been the case if this amendment were not in place. Providing a nudge of financial incentive along with our pressure, the housing development went forward and all three family owners are so grateful that the tree is still there. And given their astroturf front yard said it was a positive selling point when they were considering the property. I would add that the developer that mentioned that you can't develop a lot with a tree in the middle of it has not traveled very far because there are places all over the world where trees are right in the middle of people's homes and homes are built around them. And it's a very important part of culture. So I would say, please do the right thing and make this amendment a permanent provision as a protective measure until the process of amending the tree code can be finalized. Thank you. Thank you. Hi, I'm dan zuckerman, I'm a retired teacher and a and past youth mentor.

Speaker: When the large tree sunset clause expired in December of 2019, the Portland youth climate council had been working to strengthen the title 11 tree code for over a year. During this time, bob salinger met with us often and provided unending support for the youth at the time, bob thought that protecting protecting big trees was a no brainer, something the youth could win on. Here we are five years later, because the City Council kicked the can down the road. The youth have since moved on, yet their words still ring loud and clear. Here are some of the excerpts from a few of the pcc members from their 2019 testimony. Simon skates and tessa norris said the Portland youth climate council believes that the best action forward would be to permanently remove the sunset clause passed in 2016.

This past year, the Portland youth climate council members representing ten Portland schools worked hard to bring this issue before you. For many of us, 6% of our short lives have been dedicated to working on the tree code. It's no joke. As you know, trees are necessary to the health and well-being of all of our communities. Trees and large trees in particular, provide habitat for countless animals, cool neighborhoods during hot days, lower cooling costs, and reduce the risk of heat stroke for the elderly during the ever increasing hot summers, they sequester CO₂, providing a healthier community for everyone. As Portland air quality declines due to the drought in Oregon, many of our larger conifers are dying in the city and therefore it's more important than ever to preserve our remaining larger trees. As one city arborist put it, all urban trees are stressed, and so are we. Peter Salinger stated the Portland youth climate council supports the full removal of the sunset clause on large tree mitigation. Nobody wants to come back and hash this out again. Years down the road. Well, here we are. The least we can do is to honor Bob's memory and invest in our youth by making the large tree amendment permanent. And once this is done, continue the work by strengthening the Title 11 tree code. Thank you so much. Thank you.

Speaker: Judy Todd, Sally Lewis, and Barbara Wharton. Judy, you're unmuted. Can you hear us?

Speaker: Yes, I can, thank you. I'm Judy Todd, I live in northeast Portland. We need the large tree amendment as a permanent feature of our city tree code. I think we're in agreement about that. It's a crucial amendment to make it permanent. Only makes sense. It's not enough, though. The city's own analysis shows that this mitigation fee for builders and developers has been effective in preserving some of the city's largest trees while having, as has been pointed out, a negligible effect on new housing development. Let's keep it that way. At least not take it away. And

there are negative examples and impacts as the result of the tree codes. Many exemptions relative to affordable housing needs. So protecting what we have for the future as development continues, does make sense. But finding new solutions for the endless need for affordable housing throughout our city, particularly on the east side, raises new problems to be solved in the coming days and years. I hope that we'll work as fervently on that and in less time than a five year time period. But we need both. We need affordable housing, and we need it with new green spaces containing existing trees as well as new trees. And we need to keep the larger and older trees still standing. There isn't a best solution for all parties, no doubt, but I think there are many possible solutions that can enhance the future for those who are coming up behind us. I'm in my 70s. I'm concerned about what happens to my grandchildren who are now in their 20s and not even looking at housing yet. I know that we have problems to solve, and I know that we can solve them together. I appreciate the time of all of the people for these last five years. I also miss bob salinger's input today, and I am thankful for the likely yes vote on this amendment. Thank you very much.

Speaker: Thank you. Judy.

Speaker: One more time, sally lewis, barbara wharton, albert kaufman. Emily stebbins and sunny sorensen.

Speaker: Welcome. Thank you for being here. Having me.

Speaker: I'm going to go off script, I think because people already said most of what I wanted to say, but there's something new.

Speaker: First of all, I want to really thank jen cairo and brian lando and almost everyone else. Most of what I said was the same as that, so I'm not going to repeat it.

Speaker: My name is emily stebbins, and I'm a parent and a teacher and a volunteer with 350 pdx, where I've been working on shade equity for a few years now. And like most people, I'm here to ask you to make the large tree amendment permanent. Somebody voiced a concern earlier about preserving 20in versus them 36in in diameter, and they were concerned about it being the wrong balance between development and public health and ecology. Whatever all of these things are that we're trying to balance and I couldn't help but think of my eight year old son and my, you know, second and third and fourth grade students and how the 36 inch trees of today, they're like our pillars, right? They're like they're literally the pillars of the community, literally and figuratively. And some of them are dying. Some of them would die. They live way longer than we do. Most of them, but they don't live forever. And then they have all of the stresses of climate change right now. So we're not going to be able to keep all of those 36 inch and larger trees. We need a succession like we need to preserve those younger trees, the 20 inch and larger, so that we have 36in and larger in the future to be those big, sturdy oak trees for our kids and their kids and their kids. So we need to preserve those future generations of large trees. Thank you.

Speaker: Thank you.

Speaker: Albert kaufman, sonny sorensen. Okay. Laura feldman. Laura you're muted. There you go. Can you hear us?

Speaker: Good afternoon. My name is laura feldman I live in the portsmouth neighborhood.

Speaker: And. I urge the planning commission, along with the urban forestry commission, to continue to support the proposed amendment to remove the sunset clause from the large tree amendment provisions in title 11, making it a permanent feature of the tree code.

Speaker: In district two. Where I live, we have some of the worst air in the city. Given the industry that surrounds the north Portland peninsula. According to epa's environmental justice data mapping tool, we have a lower life expectancy. We also have the Portland international raceway here, which, along with noise pollution, emits tons of co2 during a race season, which, along with lead emissions from some of the races covering a 25 mile radius from the track trees are crucial in creating a noise buffer. As well as capturing some of the air pollution. We deal with here. Sometimes the air will be so bad when I leave in the morning on my bike that I won't actually be able to draw my first real breath until I enter columbia park. As the drought and the fire season grow longer, we still have wildfires burning in both Washington and Oregon. Our trees, especially our precious old growth, old growth trees, will help protect us and mitigate some of the worsening effects of the climate disaster. We are and will be challenged by bruce nelson and his column tree matters describes the tree needs of district two, where I live, which includes the recommendation change the city tree code in a manner that facilitates greater tree canopy in industrial zones or immediately adjacent to district two.

Speaker: Thank you, thank you laura eleanor, jack west.

Speaker: Calvin rollins.

Speaker: Calvin you're muted I think laura is here as well.

Speaker: Logan go ahead.

Speaker: Hello. Thank you I am a student at psu. I study environmental science and I would like to make a couple quick points. What better example of protecting a tree than the psu campus library? It is the largest and oldest tree on campus, and the library structure is built to go around the tree. And famously, the story is that protesters chained themselves to the tree to stop it from being taken down. And I think this amendment is extremely popular with the community. And anybody you

could ask off the street, do you want more trees in the city? I think you'd be hard pressed to find people to say no. Additionally, some of the health benefits I was told in the pathway of environmental science is with health science and the earth. So I was in a program with many emerging doctors and pre-med students, and we were told in the second week that 10% of a person's health outcome actually comes from your primary care doctor. That means 90% of your health outcome comes from things like your diet, your your lifestyle and your environment. And they also said that your zip code is the biggest predictor of your health outcome, even more than your diet. Whether you smoke or whether you drink, your zip code is the biggest predictor, and that has a lot to do with the environment. Including trees is a major factor, including walkability, including your industrial zoning and I think that this amendment would go a long way in in protecting the health of local communities and biodiversity. And thank you for your time.

Speaker: Thank you. Calvin.

Speaker: Tanya boudreau, kelly beemer. Kelly, can you hear us? Kelly, are you there?

Speaker: I am here just starting. My video is not working. I'll just go ahead. Good evening, mayor Wheeler and city commissioners. My name is kelly beemer. I'm the executive director for the east Multnomah soil and water conservation district. We are a local unit of government that serves east Multnomah County from the willamette river all the way east to hood river county. And our mission is simple to help people care for land and water. I've submitted written testimony, but wanted to verbally be on the record supporting the removal of the sunset clause of the tree amendment in Portland's tree code. Tree preservation is codified within our district strategic plan through our dedication to climate resilience. As been as it's been discussed, large trees improve quality of life, but they're also cost effective benefits

for the community, like stormwater management, traffic calming, energy conservation. I was especially struck by what Jen shared earlier around the discrepancy of tree canopy between east and west Portland. I thought that was a poignant observation, so that makes our commitment extra strong. We know that the tree amendment is working in its intention to keep our irreplaceable large trees, and our district would like to urge you to vote yes. So thank you very much.

Speaker: Thank you.

Speaker: Kelly mayor. That completes testimony.

Speaker: All right, colleagues, thank you everybody. You testified. Great testimony. Does anybody have any further questions to staff before we move this along? All right. This is a first reading. Commissioner, you look like you might have one.

Speaker: Well, I need to go soon. We all do. But, Jen, if you could just come up, I just want to ask a couple questions. I'm very supportive of this. It's more that we don't have a lot of opportunity to have you here. So. First of all, thank you for all the testimony. I'm in support of this amendment. And my question is this. So last was it. Last was it 2023. When was that big winter storm. Was it last year?

Speaker: Yes, last January but probably referring to the very beginning of the year.

Speaker: Were there any lessons learned from that traumatic experience? And I always want to thank the people on the front lines and your people that you employ. They were out there every day working 24 over seven. Was there anything to take from that, that that was brought forward in this dialog, or is that coming up later when we have more codes to talk about?

Speaker: We are looking forward to a larger code amendment project, which will start in probably about three years.

Speaker: The next code amendment project will start late 2025 after the forest plan update is completed, so that it can inform the code.

Speaker: I think I just need to see the forest for the trees here. Like what's the bigger picture?

Speaker: Okay, so and we've been collecting ideas from all sectors on amendments since initial implementation of the code began in 2015. So we'll be doing that work. Meantime, one of the immediate lessons learned from that event was that we in the city and in the field of arboriculture and urban forestry, need to do more communication and education around tree care. And we have done some of that in Portland parks and recreation and vibrant communities just recently with some press releases encouraging folks to get with a qualified, experienced arborist to have their trees looked at in advance of the winter weather. There are certainly trees that are hazardous that need to be removed as someone commented earlier, none of us get to live forever. That includes trees and as they start to decline or there's associated decay, it's appropriate to have trees removed. And now is the time. Year round is the time. But if no other time, now is a good time to have folks who know what they're doing come and look at your trees and help you out. So we're trying to get that word out more, as well as a great need. It's really been recognized nationwide to educate more and support more appropriate tree stewardship practices for property owners. It's not common knowledge. What are the right things to do to have a tree that remains healthy and safe for its entire life? So those are things that's good.

Speaker: And then the last one I'll just scenario that I think all of us have experienced when people call in, they're taken back by the expense of this. And so let me do somewhat of a parallel. You know, I was buying my first home 20 years ago. There was the issue with the oil tanks and realtors would tell you about that and you would negotiate with the homeowner. And this is a very different scenario. But there was someone recently that is burdened on a fixed income. They bought

their home a couple of years ago, and they're now being invoiced a lot of money to take care of their trees. And they were like, why didn't anyone tell me this? Why was why didn't the city or the realtor? So I think it's in that same category of communication on how we can work better so that when people are buying their homes, they have a better eyes wide open understanding of their responsibility with those trees and that that's something they have to take on. But I think this person was less annoyed with the fact that it's a responsibility, more the financial burden that they just seriously can't handle at this time. And I don't think they were in the part of the threshold that would get support. So while you're here, I just wanted to give you that feedback that I hope when we talk about this in the bigger picture next year, that we can improve the communication with Portlanders that want to preserve their trees, but are financially burdened to do that.

Speaker: Thank you, commissioner Ryan. May I comment?

Speaker: Please make a comment?

Speaker: I agree and that is one of the goals we have for expanded education and communication. Just what you mentioned. And part of that is the cost of tree care over the life of a tree. Let's say it's 100 years of a tree is very, very small up until the end when it needs to be removed. So folks, knowing that and being prepared for it is one thing. But also I'm happy to share that thanks to the Portland clean energy community benefits fund and the initiative in the climate investment plan of pcef called the tree protection and care initiative, we have funding to support private property tree maintenance, and we're looking forward to getting that launched. That was approved by council in the budget on July 1st, and we're looking forward to getting staff hired to start doing that work.

Speaker: Okay. Thank you for that. When is that and when can that be accessed?

Speaker: It's our best estimate, I would say probably in the next few months.

Speaker: We've been talking about scoping. We've already done some research on how other cities address this program as to how to provide direct financial assistance. So I think as soon as we get staff hired, we can really get moving on. It.

Speaker: Staff, if you're still here, let's take note of that. And maybe the two constituents that have called in the last three months, we could communicate with them and then pass them off to you to see if they qualify.

Speaker: Yes. We would be happy to talk with them at trees at Portland Oregon.gov, or 503 82338733. Good evening.

Speaker: Great work. I'm glad this finally came to the dais. Yeah. Thank you. Commissioners.

Speaker: All right. Thank you everybody. Excellent presentation. Great testimony. This is a first reading of a nonemergency ordinance. It moves to second reading. We are adjourned.