



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **4th DAY OF SEPTEMBER, 2019** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish, Fritz and Hardesty, 5.

Commissioner Fish left at 12:57 pm

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Naomi Sheffield, Deputy City Attorney; and Rafael Duenas and John Paolazzi, Sergeants at Arms.

Item Nos. 833, 834, 836, 837 and 839 were pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

COMMUNICATIONS		
825	Request of Diana Richardson to address Council regarding opposition to the expansion of the Zenith terminal and subsequent increased shipping of fracked gas through our city (Communication)	PLACED ON FILE
826	Request of Ann Turner to address Council regarding Portland fossil fuels (Communication)	PLACED ON FILE
827	Request of Kelly O'Hanley to address Council regarding expansion of the Zenith oil terminal (Communication)	PLACED ON FILE
828	Request of Robert Taylor to address Council regarding Oregon Health Authority's ability to approve commercial medical marijuana grow operations in established neighborhoods without City approval (Communication)	PLACED ON FILE
829	Request of Jason Renaud to address Council regarding mobile crisis services (Communication)	PLACED ON FILE
TIMES CERTAIN		
830	TIME CERTAIN: 9:45 AM – Adopt the Old Town/Chinatown Five-Year Action Plan Extension 2019-24 (Resolution introduced by Mayor Wheeler) 1 hour requested for items 830 and 831 (Y-5)	37445
831	Adopt the Twenty-First Amendment to the Oregon Convention Center Urban Renewal Plan (Resolution introduced by Mayor Wheeler) (Y-5)	37446

CONSENT AGENDA – NO DISCUSSION		
Mayor Ted Wheeler		
Bureau of Planning & Sustainability		
832	<p>Authorize the Bureau of Planning and Sustainability to contract with Neighborhoods West-Northwest Review Board and Southeast Uplift Neighborhood Program, Inc. for community groups to perform Community Collection Events for FY 2019-20 at a total cost of \$15,205 (Second Reading Agenda 798) (Y-5)</p>	189679
Office of Management and Finance		
*833	<p>Pay bodily injury lawsuit of Edward Gorman in the sum of \$145,000 involving the Portland Bureau of Transportation (Ordinance) (Y-5)</p>	189682
*834	<p>Pay bodily injury lawsuit of Don Perkins in the sum of \$60,000 involving the Portland Police Bureau (Ordinance) (Y-5)</p>	189683
*835	<p>Pay property damage claim of Staci Monroe in the sum of \$6,816 resulting from a motor vehicle collision involving the Portland Police Bureau (Ordinance) (Y-5)</p>	189680
836	<p>Authorize Intergovernmental Agreement with Prosper Portland and Metro to provide Prosper Portland funding for the Arlene Schnitzer Concert Hall Marquee Improvement Project not to exceed \$1.5 million (Ordinance)</p>	PASSED TO SECOND READING SEPTEMBER 11, 2019 AT 9:30 AM
837	<p>Create a new represented classification of Facilities Worker and establish an interim compensation rate for this classification (Second Reading Agenda 805)</p>	RESCHEDULED TO SEPTEMBER 18, 2019 AT 9:30 AM
Commissioner Chloe Eudaly		
Bureau of Transportation		
*838	<p>Authorize an agreement in the amount of \$39,710 with TriMet for the NE 46th Ave and Bryant St Local Improvement District to include design of bus pullouts west of the NE 47th Ave and Columbia Blvd intersection (Ordinance; C-10065) (Y-5)</p>	189681
*839	<p>Authorize the Bureau of Transportation to execute a Renewal and Amendment to Public Recreation Facility License with the State of Oregon, Division of State Lands for the Kevin J. Duckworth Memorial Dock (Ordinance) (Y-4; Fish absent)</p>	189690
REGULAR AGENDA		
Mayor Ted Wheeler		

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Bureau of Police		
840	<p>Extend Intergovernmental Agreement with Home Forward through September 30, 2022 to continue to provide patrol services at the New Columbia housing sites (Second Reading Agenda 812; amend Contract No. 30002975)</p> <p>(Y-5)</p>	189684
Office of Management and Finance		
841	<p>Appoint Jeff DeCosta and Tracy Westerfield to the Investment Advisory Committee for terms to expire September 1, 2021 (Report) 10 minutes requested</p> <p>Motion to accept report: Moved by Fish and seconded by Eudaly.</p> <p>(Y-5)</p>	CONFIRMED
842	<p>Accept bid of Moore Excavation, Inc. for the SE 80th Ave and Mill St Local Improvement District for \$1,954,148 (Procurement Report – Bid No. 00001278) 10 minutes requested</p> <p>Motion to accept report: Moved by Fish and seconded by Eudaly.</p> <p>(Y-3 Eudaly, Fish, Wheeler; N-2 Fritz, Hardesty)</p>	ACCEPTED PREPARE CONTRACT
843	<p>Accept bid of Landis & Landis Construction, LLC for the Hillsdale South Sewer Rehabilitation Project for \$1,844,515 (Procurement Report - Bid No. 00001277) 10 minutes requested</p> <p>Motion to accept report: Moved by Fish and seconded by Hardesty.</p> <p>(Y-5)</p>	ACCEPTED PREPARE CONTRACT
844	<p>Accept the Guaranteed Maximum Price of \$998,998 from McKinstry Essention, LLC for Portland Parks and Recreation Energy Savings Performance Savings Design Build Contract (Procurement Report – RFP No. 00000717) 15 minutes requested</p> <p>Motion to accept report: Moved by Hardesty and seconded by Fish.</p> <p>(Y-5)</p>	ACCEPTED PREPARE CONTRACT
*845	<p>Authorize a contract with Walker Macy, LLC to provide planning, design, and construction administration services for Parklane Park Development for an amount not to exceed \$1,189,848 (Ordinance; Contract No. 30006991) 10 minutes requested</p> <p>(Y-5)</p>	189685
846	<p>Authorize charitable organizations eligible to participate in the City's 2020 Charitable Campaign and authorize exemptions for charities not meeting the 25% overhead cost cap requirement (Second Reading Agenda 800)</p> <p>(Y-4 Eudaly, Fish, Fritz, Wheeler; N-1 Hardesty)</p>	189686 AS AMENDED
Commissioner Amanda Fritz		
Water Bureau		
847	<p>Authorize an agreement with TriMet for a sublease for the co-location of data radio equipment at Mt. Scott in the amount of \$55,963 (Ordinance) 10 minutes requested</p> <p>(Y-5)</p>	PASSED TO SECOND READING SEPTEMBER 11, 2019 AT 9:30 AM

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Commissioner Nick Fish		
848	Amend Parks & Recreation System Development Charge to clarify the eligibility of projects that expand capacity by increasing access to parks and recreation experiences, and add arts capacity projects to the Capital Improvement Plan to improve community access to arts and culture (Second Reading Agenda 818; amend Code Section 17.13.110 and Ordinance No. 187770) (Y-5)	189687
Bureau of Environmental Services		
849	Authorize a competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the SE Claybourne Street at SE 135th Avenue Sanitary Sewer Extension Project No. 10873, for an estimated cost of \$3,148,000 (Second Reading Agenda 819) (Y-5)	189688
Parks & Recreation		
850	Extend Management Agreement with Kemper Sports Management, Inc. for Heron Lakes Golf Course for an additional 24 months, increase the management fee, and add fund for the management fee and operating expenses for the extension period, for a new not-to-exceed amount of \$7,307,912 (Second Reading Agenda 810; amend Contract No. 30006422) (Y-4 Eudaly, Fish, Fritz, Wheeler; N-1 Hardesty)	189689

At 1:00 p.m., Council adjourned.

2:00 PM, WEDNESDAY/THURSDAY SEPTEMBER 4-5, 2019

**DUE TO LACK OF AGENDA THERE WAS NO
WEDNESDAY OR THURSDAY 2:00 PM MEETINGS**

MARY HULL CABALLERO
Auditor of the City of Portland



By **Karla Moore-Love**
Clerk of the Council

For a discussion of agenda items, please consult the following Closed Caption File.

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Key: *** means unidentified speaker.**

September 4, 2019 9:30 a.m.

Wheeler: This is the september 4 morning session of the Portland city council, welcome. Good morning, Karla. Please call the roll.

Moore-Love: Yes, good morning. [roll taken]

Eudaly: Here. **Hardesty:** Here **Fish:** Here **Fritz:** Here. **Wheeler:** Here

Wheeler: We will hear from legal counsel.

Naomi Sheffield, Deputy City Attorney: The city council represents all Portlanders and meets to do the city's business. The presiding officer preserves order and decorum during the city council meetings so everyone can feel welcomed, comfortable, respected and safe. To participate in the council meetings you may sign up in advance with the council clerk's office for communications to briefly speak about any subject. You may also sign up for public testimony and resolutions or the first readings of ordinances. Your testimony should address the matter being considered at the time. If it does not you may be ruled out of order. When testifying, please state your name for the record. Your address is not necessary. Please disclose if you are a lobbyist. If you are representing an organization, please identify it. The presiding officer determines the length of testimony. Individuals generally have three minutes to testify unless otherwise stated. When you have 30 seconds left, a yellow light goes on, when your time is done, a red light goes on. If you are in the audience, would like to show your support for something said, please feel free to do a thumbs up. If you want to express that you do not support something, please feel free to do a thumb's down. Please remain seated until entering or exiting. If you are filming the proceedings do not use bright lights or disrupt the meeting. Disruptive conduct such as shouting or interrupting testimony or council deliberations will not be allowed. If there are disruptions, a warning will be given that further disruption may result in the person being rejected for the remainder of the meeting. After being rejected, a person who fails to leave the meeting is subject to arrest for trespass. Thank you for helping your fellow Portlanders feel welcome, comfortable, respected and safe.

Wheeler: Very good, first up, communications.

Item 825.

Wheeler: Good morning.

Melanie Plaut, MD: Good morning, mayor wheeler, commissioners, I am melanie plautt, and diane richardson asked me to testify instead of her today because she is ill. I sent a communication through the clerk yesterday.

Wheeler: We got that, yes, thank you. No problem.

Plaut: I also have another request. There are three of us here today to testify about zenith, three physicians, and I would like to allow dr. Kelly o'hanley to testify first because she has a conflict that she has to get to quickly. Is that okay?

Wheeler: That's not a problem, without objection. Karla, could you read the second name - - i'm sorry, third, 827.

Item 827.

Wheeler: And is ann turner with you?

Plaut: Yes.

Wheeler: Why don't you call that. That way you can all come up. Commissioner hardesty.

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Hardesty: Thank you, I am assuming the people in red are people that you know? They came to show their support today.

Plaut: Generally, we know most of them.

Hardesty: So if you will stand up so we know that you are supporting the testimony that's happening. It's always good to have a visual.

Wheeler: Good morning.

Hardesty: I thought the red shirts were important, so thanks.

Wheeler: So who wanted -- let's go ahead and clear the clock and start with whoever wants to go first.

Dr. Kelly O'Hanley: Good morning. My name is dr. Kelly o'hanley. I am affiliate with the physicians for social responsibility here in Oregon and with the center for sustainability economy. In a couple of weeks, you will be receiving several thousand signatures from the zenith Collaborative urging you to take action. I helped to collect the signatures, and regardless of how many thousands you receive I can tell you it's a fraction of what flex the city's, the people's attitudes. It was the -- pretty much the easiest job that I have had. My pitch was that the -- we were here to let people know about the would be expansion of the oil terminal right in northwest Portland, to be frack coming from canada down the gorge to Portland for export to asia, and people are reaching -- no: We don't want this: It was amazing and wonderful to educate people about those that did not know. We asked -- invited them to sign a petition like, you know, urging the city council to take action. Lawyer up. Do what it takes. Make it stop. So you will see those signatures, and among the things that we feel that you could do would be to fund a risk assessment of the critical energy infrastructure. This would lay the groundwork for a policy to charge polluters for the full cost of the risk they are placing on the city -- and zenith being one of them. Multnomah county is going to work with Portland state, and if the city can match funds, if you will, that would be a big step for confronting zenith.

Fish: Can I ask you a question? It seems like a sensible approach to a public health problem like this. With the -- what the lawyers tell us, the areas with railroads are fraught because of federal preemption, state preemption, and other kinds of things. Has some legal analysis been done as to whether localities have that authority?

O'Hanley: Oh, I am glad you didn't -- you asked me that question. I can't answer.

Fish: Put it this way, it sounds like that's something that we will do collectively, take a look at that because the railroads are very challenging because of the things --

O'Hanley: They are also a lot of point areas for risk, but I am, you know, your lawyers could find that out, and, I mean, I would urge them to do it.

Fish: I think the concept is very sound.

O'Hanley: I think it is, too, and other industries have to fork out money for risk bonding, and if you are a contractor, and building, you have to put up money in case there is problems and the fact that this industry has gotten off scott free on that is crazy to me. Like why should there not be a pool of money sitting there for the eventuality of a mishap?

Fish: In the tort law, and I am a recovering lawyer you know, we say that for dangerous activities in general, we apply is a strict liability. We say, whatever harm you caused, you are strictly liable without having to establish fault because you are inherently a dangerous activity.

O'Hanley: And there's also been the history of, you know, of other disasters where you know, they Have so many fire walls, legal fire walls that they just walk off, you know, and okay, we have declared bankruptcy. So we want the money to be set up, set aside up front, so that they cannot do the walk away, and leave us holding the bag, which is what happened over and over again in other places.

Wheeler: Could I suggest this? This is a really important issue, and obviously, we are chomping at the bit to join the conversation. Why don't we let this panel complete their

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testimony and then lets jump in after the fact because my suspicion is they are going to raise a number of issues, ask some questions, and offer some solutions, so let's -- why don't we hear the panel out and jump in.

O'Hanley: Okay.

Wheeler: I did not take any of your time.

O'Hanley: My precious time. Don't take it away. I will make one other suggestion about a possible step. Zenith is applying for a prime minister for a new pipe under front street, and they want to import a chemical called methylene diphenyl -- I can -- I can barely say it. I don't want to get to wonky, but it is a mess. It has been known to cause asthma, lung damage, and in severe cases, fatal reactions, and they want to import it by boat, and what it would do with a -- a spill is worrisome. So we're urging you to look at that carefully, and potentially, and deny that permit.

Wheeler: Thank you.

Ann Turner: My name is dr. Ann turner. Thank you, mayor wheeler, and the Portland city council, for the opportunity to speak today about my opposition to zenith energy. Zenith's energy's operations are not only a threat to Portland's health and safety, but are exacerbating the global warming and contributing to our climate emergency. I will focus my comments on this issue. I retired from the memorial health center, communities health center, which cares for vulnerable populations a few years ago, and vulnerable populations bare the brunt of the effects of global warming. Now, I am a volunteer with Oregon's psr's healthy climate action team. On one day last month, 12.5 billion tons of ice melted in greenlands. This is the hottest summer on record in the world ever. The amazon is burning. We can no longer deny that our planet is in the midst of a climate emergency. Zenith is transporting tar sands oil, the worst type of oil for the climate. It is producing three times the greenhouse gas emissions of conventionally produced oil. Tar sands oil comes from the canadian forest and extracting it destroys its carbon sequestering forest and wetlands. A gallon of gasoline from tar sands oil puts 15% more co2 into the air than a gallon made from conventional oil. Tar sands extraction uses more Energy and more water to get the oil out of the ground. Tar sands is extreme oil in every way. Portland city council passed an ordinance banning new fossil fuel infrastructure in 2016, and Portland created the clean energy fund. Counsel must promote a healthy climate by saying action to stop zenith's operations. On another topic we are excited to learn that the mayor's office, your office is creating a climate emergency resolution. But we are concerned that its approval has short time lines. A resolution of this significance must be given adequate time for stakeholder engagement and feedback, especially from front line communities. On september 20, the youth will lead the international climate strike. The youth will bare the burden of the climate disasters. We must act now. There is no time left. Our planet is on life support. Zenith must be stopped. We must keep tar sands in the ground and move to 100% renewable energy. Thank you.

Wheeler: Thank you. Good morning.

Dr. Melanie Plaut: wheeler and commissioners, almost exactly six months ago I came to council to ask you to take action on the zenith terminal. I talked about a prior resolution that council passed in 2015, which reads, "it is binding city policy to oppose all projects that would increase the amount of crude oil being Transported through the city of Portland." I was heartened six months ago to hear mayor wheeler promise to take action. Since then there have been public forums and meetings and discussions and proposals, and yet, dangerous oil trains still move through our neighborhoods, and the world's most destructive fossil fuel is still being exported through our city. It is time to move past promises, past declarations, to action, itself. In these six months, zenith has been, shall we say, less than forth coming on several fronts. About spill testing with the deq, about what kinds of substances it plans to handle with some of your offices, and about a proposed

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pipe under front avenue. Recently, according to a warning letter sent by deq, it turns out that several of the company's storage tanks haven't been inspected in more than five years. Putting them out of compliance with state law. The person that they appointed to be in charge of an emergency spill response lives four hours away. It is not only sloppy and unacceptable, but shows the disdain for our cities and rivers. I say that be highly skeptical if this company makes any promises that it plans to handle greener fuels. This is a tar sands company. We need city council and your staff to dig harder than you have been, and to look at all options to stop the tar sands And the oil trains. This is your job. Our job is to keep reminding you to do your job. In a few weeks, the people of Portland will be at zenith for a 60-hour vigil. From the early morning of september 4 continuously until the evening of the 26th. We would like to invite the mayor and all the commissioners to drop by and join us in this watchful and legal surveillance during that time. Around the world forest burn, islands are submerged, and drought induced refugees suffer wherever they try to find home. Portland residents want to be proud of the action this council takes, related to the crisis that is climate change. It's simple. We need to move as quickly as humanly possible away from fossil fuel extraction. The hard part is that in order to do this, we all need to be just a little bit braver. So we say, have courage, take risk. Stop the tar sands, it will judge our leaders harshly for a tempid response at this moment. I have also been asked to confirm that council is not going to take action on extending a permit for zenith today? Can you confirm that with me?

Wheeler: I am confirm that.

Plaut: Thank you very much and for your time.

Wheeler: Great. And I just wanted to quickly -- first of all, I want to thank you and all your colleagues for being here, as well. While you don't see everything going on, I want to assure you this is a top priority, not just for me, not just for this council, but the bureaus. They are working very hard to get accurate data and accurate information, so that they can inform the decisions being made. One of you had mentioned that you did not feel that the data was accurate. That is a concern. It's a legitimate concern that not only the first responder bureau has, but also the bureau of planning and sustainability and the bureau of development services as well as our other partners. Number two, we are working with and collaborating with our agency partners because while we don't regulate all of it, there are other parts that are regulated by other agency partners like deq, and deq, as you know, just recently indicated, they sent a warning letter to zenith saying that they saw some red flag issues and violations regarding their oil spill prevention practices. Zenith has 30 days as of the time that the letter was, actually, sent to demonstrate that they, in fact, have those practices in place, and if not, there is remediation that we can then employ collectively with the state. The permit that has been talked about substantially in recent weeks -- it's my understanding has not yet been, unless it happened in the last 24 hours, it has not yet been received by the office of community technology.

Plaut: You are talking about the Pipe under the road?

Wheeler: Yes. The pipeline permit is a critical juncture, a critical question, and one that I will personally take a great interest in, but we have not yet received that permit. There is no action that we can specifically take on that permit in either or in opposition. Last but not least, with regard to the climate emergency declaration, I hear what you are saying with regard to wishing that there could be more input from stakeholders. Could I ask you a follow-up question? There is a sense of urgency that I have to that. We are certainly not the first city to declare a climate emergency. We have taken other actions in lieu of that, and we have updated our climate action plan in lieu of that, but we believe that it is important that we take that stand collectively with other cities. I will be going to c40 at the end of september. As you mentioned, the climate strike, they want to see action and a statement of clear values out of this council. What is it that you feel that the stakeholders

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need in addition to what they already have to inform this process? How could we make that happen with relative speed?

Turner: I think that -- I am not sure that I am the person that can answer those questions, but I do think that really, it requires quite a bit of time to really analyze and look at something of this magnitude, and you know, Whether or not you might be able to take, you know, a preliminary or a draft resolution with you, might be an option. But giving, you know, normally when you are looking at approving, when the states are looking at approving fossil fuel projects, there is minimally a 60-day hearing period.

Wheeler: We have all that, as well, and it can come in the form of resolution, and it goes out to the bureaus and they, actually, develop policy that comes back to the city council at a later date.

O'Hanley: Can we circle back to you quickly within the day and make some suggestions, some concrete suggestions?

Wheeler: I am making some noise, so if there is some stakeholders out there who feel that their input would be valued, and valuable to this process, I certainly welcome to. I am open to it, and I would like to see it, and so I would encourage people to do that.

Plaut: I think that my concern is two fold. One we want to be sure that front line communities are involved in any kind of resolution. And I don't know what outreach you have done to those groups already. And not being one of those communities, I can't really speak for them. And the other piece is that, a climate emergency, declaring a climate emergency only means that something, if it has some teeth in it. To have this be a window-dressing that we care is probably not going to be Adequate.

Wheeler: Let me touch on that point, too, and I will go to my colleagues because I have gone on longer than I wanted to. This is an important and interesting issue. The 2016 ordinance that came before the city council, which I supported at the time, not as a member of the city council, but I supported it as a statewide elected official, that had, that was remanded back to us, and that is being brought to the city council with what we believe are the significant legal issues.

Plaut: You are talking about the zoning amendment?

Wheeler: Yes. In addition, some of the actions that we're looking at here in terms of fairly evaluating the request for any permits that might come forth, addressing any violations on the site, those also are real regulatory teeth that we can deploy when necessary. Commissioner Hardesty.

Hardesty: Thank you, mayor, and thank you all for being here this morning. Your passion around making sure that we don't have trains going through the community that blow up and destroy our community. I believe that the last legislative session, there was a bill that could have been helpful to require the bonding take place. I think that the amount was way too low because of one of those trains below, and it's going to cost billions of dollars, not just a measly amount that the legislature started with. But having said that, I think that it has to be a full court press on all fronts. Deq has been irresponsible, and their responsible to make sure that zenith does the testing that they are required to do every year. So I don't have as much faith that now that they are paying attention that they are going to do something without the public's pressure, right. It's going to take public pressure to make sure that deq actually does what it is supposed to do. It is going to take pressure in the legislature so there is a lot of legislators running for re-election now, and so getting a commitment from them early, that they, in fact, are committed to making sure that we either change the law or strengthen the law to make sure that our communities are protected. For me, personally, as the person who is responsible for the fire bureau, I really want zenith to have its own fire crew because heaven forbid we have to send firefighters into a zenith fire. It is a radically different fire than was our folks are trained for. I think that frankly, the cost of them actually having to have an on-site fire team with the appropriate

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equipment hopefully will be enough to convince them that there are easier places to do business. [laughter]

Fritz: Who should people contact from your staff if they want to be involved in the climate resolution discussion?

Wheeler: I would encourage them to you get -- contact sam diaz.

Fritz: How do you spell that?

Wheeler: Diaz.

Fritz: At Portlandoregon.gov.

Wheeler: Sam diaz. Great, thank you. Thanks for coming in. Appreciate did. Next individual, please for communication.

Item 828.

Robert Taylor: Good morning, I am robert taylor of east county. I am here to address the statute, which I hold in my hand here. This has had a couple of revisions to it. And in areas, there was a revision, I believe, in the last legislature, hopefully, with the new legislature coming up, with my testimony here and your help. We will get another revision of it. I will tell you with my effort, with bds and the fire bureau, they shut down a commercial warehouse, a cannabis grow operation, medical, jane to the four corners school at southeast 146 and southeast stark, a special needs school and the reynolds school district, and that has been shut down as of last month. The school district helped with that effort, the biggest effort was our bds and fire bureau. Having said that, that's closed down. Within 50 feet of that school, which is clearly a violation of the cannabis statute, with the compliance and noncompliance issues in that statute. It was shut down because of noncompliance, and it can be the tenant and the owner can, under the statute, be prosecuted, investigated by the Oregon state police and prosecuted by the attorney general under the statute. The second incident in east county near northeast 157 and gleason, we have got a commercial grow operation there right now going on, adjacent, within 38 feet of a section 8 house with the single mother and six juvenile children in there. I have got a problem with that. That's my neighborhood. The statute does not address these situations as the neighborhood there. It does address the school situation. The livability of our established neighborhoods and my beloved Portland is not considered by this statute. It does not address the livability in this statute. The statute does not consider the health and welfare of our most important people. Pregnant women. Unborn children. And our small children and our four legged people that stay with us until the day that they die or we die, it does not address these issues. The livability of my beloved Portland is the most important thing to me. The commercial grow operations of medical marijuana needs to be under the Oregon health authority needs to be moved to a commercial zone away from human beings, women, unborn children, and our children, their brains are still developing. Again, this is a very important -- this needs to be so, the next legislature needs to address this, and I am asking, and I am pleading with your help as an elected body, and I voted, I respect all of you. Your leadership. With your help, I am hoping that this next legislature will have some new members in it, and will convene and maybe with the help --

Wheeler: Thank you. You made your point very well. Commissioner hardesty.

Hardesty: Thank you, mr. Taylor, are you in communication with your state representative and your state senator?

Turner: I am attempting at this time to be so.

Hardesty: That's going to be a great place to start because as you may know, they can put? Any legislation that you would like to see on your behalf.

Taylor: The representative, diego hernandez was absent from the reynolds school board meeting, which he's a member of two weeks ago. I went there to address this issue with the executive council and dr. Diaz, who is the superintendent of the reynolds school district

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who helped in the closure of this -- of this cannabis, Oregon health authority, sanction warehouse.

Hardesty: I was going to say, you know, this is the communications slide, so you had a whole three minutes to, to make your case, and I think that you did an excellent job in making your case. This is state law.

Taylor: Right.

Hardesty: And the only way that this changes is if this state finds a compelling reason to change were the law. I would encourage you to contact your state representative and your state senator. Sit down and talk to them about your concern. See if that is a good place for you to start to have that conversation.

Taylor: Yes.

Fish: You have a second bite at the apple, which is when we do our legislative agenda, for the city council, commissioner Fritz and the mayor traditionally host a meeting in the community where people can come and advocate for something to be put on our agenda. So, in addition to what commissioner Hardesty has advised you, which is go directly to your state rep and senator, you will have a second bite at the zoom to see if it is something that the city wants to entertain as part of its legislative agenda when we take public feedback on that, so thank you very much for coming in, and we will follow up.

Wheeler: In your for bring it to our attention. We appreciate it. Next individual, please, Karla.

Item 829.

Wheeler: Good morning.

Jason Renaud: Good morning, council. I am Jason Renaud with the mental health association. I would like to talk about medical mobile crisis services. You will soon be looking at a proposal to create a new medical mobile crisis services and alternative to police to make contact with people who are Strained from healthcare, people who cannot turn to the protection of law or to a credit card insurance policy to protect them. This is not easy work. We tried to create services like this before, with success and some failures along the way. There is a history of Oregon trying to help people in crisis with limited budgets and without clinical resources. It hasn't gone well. What do we do for people with mental illness who refuse the medical treatment and behave in a way that is distressing? We try to help. We do -- but who should give it and when and how? Towards what end? These are practical clinical and ethical questions which have baffled your predecessors, and baffled the permanents towards creating these failures and not following the principles. Our idealization of civil liberties is confounded by mental illness. There is nothing allowed for people who can't think straight. They and their symptoms confuse the law, and without a safety net of medical services, specialized housing, supportive employment, friends, families, neighbors, people with mental illness sometimes need to call for help and because of decisions, carefully made, by elected officials, there is often no one but police. So there is a better way. Thank you for visiting, Eugene, and thank you for visiting Eugene. First you must remove police from the process whenever possible. We found excruciating experience that there is no amount of training or policy which reduces the routine harm police do to people with mental illness, it's not their fault. And second, you must find and fund a single robust independent medical mobile service, a humanistic gateway to psychiatry and addiction treatment, and we have an extraordinary and well tested model at the White Bird Clinic in Eugene. You can learn from it. If you follow their lead and build a service scaled to match theirs, which would be about six units running 30 or 40 hours a day, you will get the same extraordinary results. So we can talk at length about this room about other medical mobile services and other cities, how they are grappling with the same question about integration of public safety, about environmental service is, and about how to sustain the team members, and the Cahoots program in

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eugene is available to provide both that experience and technical assistance in these areas. We don't need to reinvent the wheel. I want to stress one important point and give one solution. The most valuable and overlooked quality of the eugene model is that the services managed by an independent third party, not a city bureau or department, not the police, I am going to go about one more paragraph. Not the fire department. That really won't work. There is a compromise. The eugene model uses emts Embedded with social workers. Why not contract with the suitable independent third party vendor and provide -- and embed the emts from the fire bureau into that service. That's a model that's been tested up in olympia right now with the same model and has worked very well. The fire department has great emts and paramedics that could work easily with the party. So it's a good solution. Thank you.

Hardesty: Thank you very much for being here today. As you know, we have certainly gone to eugene and reviewed the cahoots model, there are things that are positive about it, but as you know, it took them 30 years to create the model that they have today. We, in Portland, don't have that long to wait to get to a model that, actually, is intentional about sending the right first responders to the right incident at the right time. As of today, we don't know what the palette will look like because we are gathering data, first from those most impacted and from service providers, and from folks who are today on the front lines of these calls. When 30% of the new calls, to 9-1-1 are for unwanted people, that's a problem. And cahoots or any other model won't change this perception of unwanted people in our community. The amount of public safety dollars that we spend today because when you call 9-1-1, when you don't know who to send, you send everybody. You are send fire, police, and Ambulance. And many times, none of the positive is the right responder. I hope that you will keep an open mind as we start providing data from the surveys and the work sessions that we have had over the last four months. I hope you will keep an open mind when we build something Portland eccentric and not take a model from somewhere else and just plopping it down in the city of Portland. Some things Portland has that eugene doesn't have and vice versa. We are at the beginning stages, and we are going to bring back a proposal to the city council in november. I hope that you will be a partner in helping us to move this forward, but so far, what I know is that we, today, spent a lot of resources, and trying to address who shows up as a first responder. We could spend those resources smarter, and we could weave a better system to go. I am appreciative that the mayor and the rest of the city council is really supportive of us being innovative and really thinking about what's the best model for the city of Portland. I thank you.

Wheeler: I want to join the cheer section here. First of all, I think that the collaboration that we now have amongst the public safety bureau is the first responder bureaus is a critical and necessary step. And commissioner hardesty and I went down separately, and we looked at cahoots, and I think that we reached a lot of the Same conclusions about the models. Some things are really attractive and very appealing and work really well. Some things are problematic. One of the things that they self identified as being problematic is something that I want to pigeonhole you on while I have got you here because there is probably nobody with more expertise in our community than you on this question. When -- their first response, their street response is very effective in my opinion. And anecdotally, it seems to suggest that the community is very happy with their first response. The problem is when somebody is truly in crisis, they manage the crisis, and they deescalate the crisis. And that, in and of itself, is a victory, but where they are coming up short is there is not necessarily a treatment bed available. There is not necessarily supportive housing that's available for somebody who truly needs longer term care. And so they find that from time to time they are going back to a lot of the same people who are still on the streets and still in danger. With that, with that concern in mind it is disappointing to both commissioner

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hardesty and to myself that the funds coming through the county for mental health services is not expanding to a, to accommodate what is obviously a growing crisis in our community, it's going the other way. I hope that you will join us as we go back down to salem in february and seek some resolution to the question of why are mental health services and mental health dollars that are allocated from the state through the county not increasing commensurate to the need, and frankly, in alignment with the model that we are trying to create here. Under commissioner hardesty's leadership of the fire bureau. So I feel like there is a partnership to be had here because you, obviously, support the model, the commissioners support it and I support it, and this council voted extra dollars even above what the bureau requested so that we could get this pilot fast tracked but there is major holes in here that we need to address.

Renaud: We should go in lock step with our legislators, in this district, and with the county commission, and with advocates to salem to cause more moneys to flow to both the mental health crisis and the addiction crisis that we're under -- that we're facing here, and we are not going to make a dent in the problem without more money, frankly. The county is building beds, building a day center, and that will be up probably about the same time that the cahoots gets up, and it will be important that those services be integrated along with police services in the day center.

Wheeler: But to that point, I don't want to belabor this here today, I am truly just pigeonholing you because I can. My concern there, and I support that model, and it's an Important one and, our first responders support that model. The problem is it's also extremely expensive. The concern I have is the federal government and state government pushing the responsibility of acute mental health delivery to local jurisdictions. We were not in the mental health business at all, and now we find ourselves in the street response mental health delivery and crisis management in a huge way, and we're not seeing resources at the federal or the state level realign to reflect that reality. That's really concerning to me if we are talking about building a sustainability model that's more than just a pilot program. Commissioner Fish.

Fish: We are half an hour over our public communications.

Renaud: Let's discuss this later.

Wheeler: To be continued.

Fish: We have had these incredibly interesting public communications, the problem is if we engage everybody we are going to be half an hour backed up on time certain, every council, and I hope that there is a chance because of the listening to this dialogue, there is a lot of things that I would like to know more about, and I hope that we have a work session at some point, and to actually talk about this for those of us who haven't been down to see it and also to talk a bit about what are some of the other best practices in other cities, and jason, you are an invaluable resource on that.

Eudaly: I would like to thank You for being here, and I want to acknowledge that we have personally been having these conversations for 25 years, which is hard to believe. We have watched people that we know and care about suffer. For lack of these services, and we are not going to get it right if we don't pass the expertise that already exist in our communities, so I hope that you will be a part of this conversation.

Wheeler: Commissioner hardesty.

Hardesty: Thank you, last word, it's funny because jason and I have also been having this conversation for the last 25 sore 30 years.

Fish: Jason and I have had this conversation for the last 40 years.

Hardesty: You are older than I am.

Fish: My grandfather started the conversation with jason, and I inherited it so I want to just in case there is any doubt here.

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Hardesty: Let me say that what I love about where we are in this process is no decisions have been made. We have not seen the ideal anything yet. Everything comes with trade-offs and everything comes with creating the right partnerships so that the outcomes that we all want are achieved. Sometimes I am really giddy to go over time because I think it's important to have these conversations in the public eye so thank you for being here, and don't be a stranger. We will talk soon.

Wheeler: Found my Pencil, commissioner Fritz.

Fritz: Thank you very much for raising this important issue, and I would like to second commissioner Fish's request for a work session on this, and this community -- the community could be I am invited, too. I did work in mental health care for 22 years.

Wheeler: Was Jason there? [laughter]

Fritz: Hippa protected. [laughter]

Fish: Based on my 30 years working in mental health care, I say we are still learning, both.

Wheeler: Jason, I hope you come back. I am afraid you might not but we look forward to more of the same. Have any items been pulled off the consent agenda?

Moore-Love: Yes, five items pulled off. Item 833. 834. 836. 837. 839.

Fish: Is the same person -- did the same person pull all those?

Moore-Love: 833 and 836 were from commissioner hardesty's office and 834 is dan handelman and 837 mayor's office request and 836 is lightning.

Wheeler: So 837 I would like to move that to the september 18 agenda, and there was a typo in it, but it's a fairly substantial typo, so legal counsel suggested it listed the wrong labor union. I want to make sure that we go that right. 8:37, I would like to request we Move that without objection.

Eudaly: As a courtesy I would like to request 833, towards the front of the agenda rather than the end because we have the city attorney here to speak to it. And I think that they have more useful things to do than sit through an entire council session.

Wheeler: Why don't we go to the time certain items 830 and 831 and we will move to that item without objection. 830, please.

Moore-Love: Do we do the roll on consent.

Wheeler: Sorry, thank you, call the roll.

Hardesty: Aye. **Eudaly:** Aye. **Fritz:** Aye. **Fish:** Aye.

Wheeler: Aye. The consent agenda is adopted. 830.

Item 830.

Wheeler: Five years ago, the city council adopted the old town/china town through 186744, an august 6 of 2014. The plan has been a comprehensive community development initiative to create a vibrant, economically healthy neighborhood in old town/china town, and it resulted in a number of significant accomplishments. The plan focuses on three basic objectives. First, to attract new neighborhood investment to activate the key properties and improve district connectivity. Second to promote business vitality by increasing employment and retail activity, and third, align resources and build local capacity from proving district livability. Old town/china town has experienced tremendous progress towards achieving these objectives in terms of the growth, building renovation and redevelopment, and the arrival of more than two dozen new businesses and retailers. Thanks to the prosper Portland and city bureau staff and the many members of the community who partnered over the past five years to bring positive change to this neighborhood. We still have much to accomplish, of course, and prosper Portland and the community see a clear and significant need to invest in projects and initiatives that focus on neighborhood, business, and district vitality. And with that, I would like to turn it over to the prosper Portland director kimberly.

Kimberly Branam, Director Prosper Portland: Good morning. Commissioners. I am kimberly brannam, the executive director of prosper Portland. Excuse me, I am joined by

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lisa, the director of development and investment. We are very pleased to be here with you today to provide an overview on the progress made on the 2014, five-year, old town/china town action plan and to seek approval for an extension to an updated action plan. You will hear three main themes this morning. The first is that public, private, and community partners have made significant progress in the last few years. And many of these partners are in the room with us today, and you will hear from some later. But I want to personally appreciate the collaboration and effort that have gone into that progress over the last five years. The second is that prosper Portland and these partners remain committed to the vision of a vibrant, economically diverse, and neighborhood that maintains old town/china town's character and rich cultural assets. And the third is that there is no single entity or sector that can achieve this vision alone. Not the public sector. Not the private sector. And not the community. It's going to take all of us working together. We believe that the holistic, targeted interventions that you see here in front of you today provide the foundation over which this coalition can move forward. I am going to touch just very briefly on the context for the plans and lisa is going to provide additional information on the progress that's made, and the proposed update. The old town/china town community association prosper Portland and city bureaus formulated the 2014 action plan based on quantitative and qualitative analysis that highlighted a lack of critical mass retail that serves residents and visitors with a heavy density of social services and entertainment uses. Some of the highest crime rates in the city, stagnant development as the economy slowly recovered and access barriers on all sides with a lack of the left turn off of west burnside and no stoplight at the time at northwest couch and Broadway. Five years later it looks different. There's been significant employment growth, strong cultural and community organizations, development, and influx of young, diverse entrepreneurs, and with young diverse entrepreneurship, and we still have retail vacancies that will provide additional opportunities for local businesses. Their continued challenges around the perception of the neighborhood and the crime rates, and there are also public and private development opportunities that are poised for redevelopment, and there are --

Wheeler: Commissioner Hardesty, please.

Hardesty: Sorry, Kimberly. My question -- I am stuck by this perception of the crime rate in old town. It was my understanding that when right 2 dream too resided in old town, there were no calls for police services in that area. So, has there been this uptick in criminal activities and right 2 dream too has moved out or why. That does not fit my world view of what I understand was true there. So I am curious where that data came from.

Branam: So --

Hardesty: Do you have additional data?

Lisa Abuaf, Director of Development and Investment, Prosper Portland: We do. We have public safety data that we could share and just looking at it, it looks as though the sizable increase between kind of 2016, so I think it was a bit after right 2 dream too had moved to another location, is mostly in property crimes and society crimes relative to kind of person crimes, and we can share that. And I am not sure, Helen is also here with the community association, and there's been a lot of work by the -- there's been a joint task force so they can probably speak to that more directly.

Hardesty: I will look forward to that. When we present this, as like factual information you know, I would love to see the data and where you have got that analysis from. Thank you.

Branam: As we consider the public and private properties that are poised for redevelopment, we also acknowledge that there are continuing hurdles faced in redevelopment through the concentration of unreinforced masonry and the hurdles associated with that as well as the need to find replacement parking and surface parking lots, and as they move into more productive uses, so with that, I will turn it over to lisa and then you will hear from some of our key partners.

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Abuaf: Thank you and good morning mayor and commissioners. As kimberly mentioned, prosper Portland has a longstanding relationship with the old town/china town community that goes back before the action plan that we made significant investments in saturday market, the Oregon college of oriental medicine and u of o being an important institution as well as Working with mercy corps, and the original action plan as the mayor mentioned was adopted in 2014 and had the three key areas of neighborhood investment, business vitality and district livability, and those areas, as we went back out remain the priority. And based on our focus, as prosper Portland on business, and community based development using tax increment resources, we will share that our investments are largely in the neighborhood and business vitality, priorities, and general fund resources have been really important contributors to the district's livable, priorities for the community, and mark jolin with the joint office of homeless services as well as helen yang with the old town/china town community association can speak to those priorities further. Again, just kind of a recap, one of the things that we reopened when we took a look at this extension was whether the geography held true for the community and in fact, the community did want those resources continued to be committed to the geography you see here. It's important to note that it overlaps two historic districts as well as two different increment financing districts with downtown waterfront where the sizable resources are serving kind of south of burnside and a couple of blocks north of there, and the river district area. And that the community's priority is really along the historic avenues of 3rd and 4th avenue. The 2014 plan was developed in close partnership with the community association as has this extension, and we met with individual residents, businesses and property owners, as well, within the community and working closely with our bureau partners and in particular, early on with the Portland bureau of transportation, as kimberly mentioned, connectivity was a big issue early on, and as well as the Portland police bureau, the Portland police bureau's part of the joint task force. So key outcomes, coming off of 2014 plan, and I am going to put a finer point on the goals and measures of success of the original plan, and where we are today. So one of the original measures of success was for 500 new moderate income housing units to be introduced into the neighborhood, that's important for this particular community. Three out of four units is long-term affordable housing, and so a mix of income units has long been a desired outcome for the community. We are happy to say we reached 260 of those 500 moderate units, and some of that was thanks to a pilot sdc deduction that we're not asking for as part of the extension because we feel as though both the market as well as the inclusionary housing can continue to deliver on that mixed income. The projects were at 38 davis and one currently under construction at southwest 3rd -- and asheville and also the renovation. Commissioner Fritz. The second was this area has a sizable portion of the historic brick buildings in Portland, and so there was a goal for five renovated buildings and new construction, and we're happy to say buildings like society hotel, the hockston hotel and overland warehouse behind prosper Portland's offices have been renovated and preserved as well as pnca moving into their campus home. Again, we had a long standing goal for the community around kind of digging into the surface parking and understanding how to support historic buildings through the replacement of surface parking as the lots redevelop, and that continues to be an outstanding item to work on with the community. As kimberly mentioned, connectivity was of them.

Wheeler: Can I stop you there? I've been getting heavy social media traffic in the last 24 hours, and social media is social media. It is what it is. And I want to dwell on this because I understand that there is probably some people here today who want to know if this is a secret plan to increase the parking garages, and I want to dispel a couple of myths. Number one, this plan does not actually call for any new parking. The problem here from -- referred to in the plan, under 131 is the loss of surface parking as development happens in

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the community and additional retail. If there was a decision made to build more parking, that would either have to go through your board, I take it, which is public, or it would have to come to the city council. Is that correct?

Branam: That's correct.

Wheeler: So the main question from the perspective of the proponents of the plan is replacing the surface parking that is lost to the development. Do you still support the goal of reducing the overall car traffic coming into the city of Portland? Or do you oppose that?

Branam: We are supportive of that goal.

Wheeler: And there is a number going around saying that we have supported 50 million in new parking garage construction or committing to 50 million in new parking garage construction, and my understanding, we have 10th and Gleason and Prosper's role is the first floor retail development. The rest is a renovation of an existing garage facility. There was the parking related to the new headquarters hotel on the other side of the river, and I feel like I am missing something and what else is there?

Branam: I am not sure but there is 50 million that's anticipated going into old town/China town for the entirety of the action plan over the next five years. And it sounds like people might be inflating the resources available that are largely going to go to the community development priorities that you are hearing.

Wheeler: So 1.3.1 is a reference to a community conversation about parking issues, is it not?

Branam: Absolutely.

Wheeler: Is there more that I am missing?

Branam: And frankly, you know, the bureau of transportation is really into the lead on those conversations, as you had anticipated.

Wheeler: And commissioner Eudaly has been crystal clear about her view with regard to people driving in and, I mean, old town/China town has some of the best public transit probably anywhere in the state would be my guess.

Branam: I think that's right. I think that we -- we know that in order to maintain and support the long-term businesses that have been there, that are now reliant on surface parking, and to avoid displaying or having to take down those buildings, not being able to tenant them, we need to find a solution to replace the parking and to do so in line with the transportation system plan and with the pbot, but not anticipating the increasing of parking.

Wheeler: Thank you.

Hardesty: That helps a lot because I was getting a lot of communication, as well, about us spending 30 million on parking, and I didn't think that that was the city that I lived in, so I am glad for that clarification. I guess my question is, we are not anticipating replacing the parking spots one per one, are we? Are we -- we are thinking new designs, new visions, and we are thinking protecting the infrastructure of some of these historic properties. So is that an accurate statement?

Branam: It is.

Hardesty: I've been sitting next to him, and now I feel like I'm giving the answer. Thank you very much. That's helpful.

Fish: And then the next slide --

Hardesty: Next thing, they will start saying Mayor Wheeler when addressing. [laughter]

Ahuaf: Just to push upon the action plan also had goals around business vitality and supporting both new, small businesses as well as living wage jobs in the district, and we are happy to say the district has seen a grossed of 600 jobs and 97 million in added wages, and we have added retailers to the community, small local businesses, dead stock coffee, ground patrol, as well as multi-nationals, and we have also seen job growth occur through a similar combination with the likes of Pencil Academy, kind of expanding in the area, 38 Davis, and there is also Move All Software as well as the University of Oregon as

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important employers in the district. And continually, with relationship to the district livable, our investments have been through our community livability grants that have really focused on supporting community organizations like the chinese garden, like central city concerns and employment access center and like the new Portland chinatown history museum. And with that, we will kind of Reveal the updated priorities, which look very similar to the previous ones. Again, the community really felt like we are on the mark in terms of the three categories that they had identified five years ago, and they really wanted to focus in particular areas with this renewed commitment. The renewed commitment looks at public safety and livability, and within the district livable areas, and on behalf of prosper Portland's investments, we have kind of an increased commitment and emphasis on equity and entrepreneurship community organizations and property redevelopment, so we think about our projects, there will be a renewed commitment to thinking about the small businesses, the investment opportunities, and the property owners that we're supporting. And then as we look towards the future investment, what you will note is we keep our 57 million commitment whole, and as kimberly mentioned, the 57 million is not anticipated to be the 100% of investment or commitment that is needed to achieve the outcomes and goals of which action plan. It will be a partnership with both community-based organizations and nonprofits who bring important resources to the table as well as the private sector, and general fund as we think about the district livability priorities for the community. In particular, more near term and immediate focus, focuses of process person Portland will be ongoing support to key cultural institutions. Our board took an action to sell a ground floor condominium unit to the [inaudible] which will allow it to own its space and remain long-term in the district. And we are happy to announce we are entering into development partnerships with two entities on block 25, and 4th and burnside so we are pursuing partnerships with key development on those two projection as we move forward for redevelopment of those sites, and focus our grants to supporting businesses and entrepreneurs with a particular focus on business and property owners that are owned by people of color.

Wheeler: Commissioner hardesty.

Hardesty: Thank you. My question has to do with the 30,000 commitment from the general fund to support the community association district manager. This -- the tools and resource guide says this is from 2019, 2020, 2023, 2024, is that -- are we making a commitment of the general fund or making a commit to prosper Portland's budget to support this over the years?

Abuaf: So the general fund, it would be for just one fiscal year. The action plan is a commitment to prioritize the resources the way it has been operationalized as we come back with that request, and based on the general fund availability. We were award it had.

Hardesty: I am not sure you answered my question.

Branam: There reflects the fact that city council in the last budget authorized 30,000, and so this Reflects that commitment for 1920.

Wheeler: But it's not a guarantee.

Hardesty: My concern, this says 1920 to 1923, 2024, we made a commitment of general fund resources, so I just want the record to show that that's prosper Portland's budget and not general fund. If that commitment is being made, it cannot be made from the general fund. Thank you.

Wheeler: Correct

Hardesty: And then the last one has the, to do with the city bureau. Your document says that to support one point of contact investment street outreach, etc., and work with other bureaus, what is that going to look like?

Abuaf: I think that might be an opportune time to hand it over to mark and helen, would have been participating.

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Fish: Before you do that, the next slide says questions, is that questions as to the action plan?

Abuaf: Yeah.

Fish: Okay. So thank you. This is not the time to, necessarily, thrash out the issue, but based on the fact that luba reversed us on a land use decision we played in old town/china town, which has significant consequences to development patterns, is it the position of prosper Portland that we can live with 160 feet?

Branam: We are deferring to the city council in terms of the decision.

Fish: Will the council take this up or the position of the city that we can live with That?

Wheeler: The position of legal counsel that the appeal run its course. The property owners have the right to appeal. It's my understanding, they either have appealed or they plan on appealing. They have appealed, and I am told, and legal counsel advises us not to take it up until that appeal has run its course.

Fish: So the property owner is affected so the property owner is affected by the reduction in height have a right to appeal the decision. At that point it will come back to council. Do we have a commitment as such time as that is heard and they are rarely successful, that it will come back to council for decision?

Wheeler: Absolutely.

Fish: The second thing that I want to observe, director brannam, you began by saying, and I agree with you, that there is a lot to celebrate, a lot of success here. The headline in all the media will be a five-year record of failure because that is how -- this has been treated from the get-go. One of the things that I think is important to acknowledge is that we learn something very powerful in lents and gateway, which is the city cannot get in front of the market. We can try to prime the pump, we can try to do all kinds of things, but lents and gateway didn't happen until private money came in. It was not because the city had its urban renewal district, Necessarily, it's because private money looked at this and said that here's an opportunity to invest. We are still waiting for additional private investment in old town/china town but I think that it would be a mistake to say that if we continue to see lackluster development, that's a function of -- of prosper Portland and failure, that's the marketplace, and as long as there are other places for people to invest, until such time as the money flows into this district, it's hard for you to leverage the development on our own even with, as it turns out, the changes we made in the height. The third thing, I want to just observe, is that you mentioned the chinese garden in a slide earlier. I don't know my colleagues are fully briefed on this, but it is a historic opportunity to acquire a land owned by northwest lateral to the north, and just like the japanese garden has gone through a major renovation, \$36 million upgrade, and with that land, they cannot expand the footprint, so the 4 million in the budget is dedicated to acquiring that land, and those negotiations continue with northwest natural, the parks bureau may have a role to play, and there may be environmental issues with the dirt that you are going to explore, and in your due diligence, and I understand that you asked for an extension of time for those negotiations.

Branam: That's correct.

Fish: And I want to say, mayor, and colleagues, this is one of the Most exciting opportunities, and I am thinking that somewhere vera katz is smiling, that this land is available, and for the expansion of it, because without this opportunity, they would continue to be a treasured resource but constrained by their footprint, and I wholeheartedly support the acquisition of the northwest natural land and the vision of a cultural center and expanded footprint and then potentially a hotel that serves the whole district, so I want to put that on the record.

Wheeler: Commissioner Fritz. Commissioner eudaly. Great. Thank you for the presentation. Excellent. Karla, do we have people signed up for public testimony?

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Moore-Love: Yes, we have five people signed up. The first three, please come on up.

Wheeler: Do we have invited testimony on this?

Fish: We do.

Moore-Love: I show mark jolin and helen yang.

Wheeler: I am sorry, could we -- let's go ahead and do that. They are invited speakers so they are part of the presentation. You might want to hold off until their testimony is complete. They might give you more items to talk about, as well. Sorry. Thank you. Good morning, helen am sorry about that. Good morning.

Helen Ying, OT/CT Community Association: Good morning. Thank you for inviting us to come, and I just wanted to first acknowledge we are excited, the old town/china town is excited about the extension that we are coming to ask for your approval for the five-year action plan. First I want to say that the first five years, commissioner Fish, mentioned the public might see it is a failure, but it has helped us lay a firm foundation. And the five-year action plan is an excellent model of the public and private partnership. We, as a community association, is at a different space, the community, the neighborhood is at a different space today, and particularly, I want to mention that the board of the community association is -- it's a different makeup than what it was five years ago. And particularly, it consists of four residents, and two social service representatives, and educational institutional representative, and art, history, and culture institutional representative, and both representing the day and night, and I want to give you a broad stroke of how comprehensive this board is made up of. And earlier I think commissioner Hardesty had asked about the funding piece for the district manager. We have taken time to reflect back on what should be the role of this contractor that we are contracting, and so we have actually created a new title in a new set of focus for the contractor. We are calling the contractor a community development director, So his work is more than just managing a district, but really to help to develop the neighborhood. I want to invite you to come on september 14, our community development director has organized a -- helped us to organize a festival for that day. It's the old town creative art festival, and it starts at noon. It goes to midnight, actually, because we have this bridge of day and night of businesses. We are going to be featuring under represented artists during that festival. Now I want to mention about the funding that you had questioned earlier. So the action plan had dedicated the funding to help with hiring someone to come and help with the revitalization work. And it's 30,000 grant per year. We are in the fourth year, and we are glad that the city has continued with this grant for four years in a row. But the community, itself, has raised the 30,000 matching for that grant over the long haul. We are going forward to raise the money, but the entire amount ourselves. We have raised over \$120,000 over the period of time. And we are on track to meet the goals this year. And going forward we are developing a sustainability model to fund this position, so that we don't have to continue to keep raising the money, and so we are looking at -- we are becoming a 501c3, the community association is, and we are looking into a -- a business membership model. We could, you know, ask the businesses to support this work. So really, again, the public and private partnership model. So reasonable we are excited.

Wheeler: One moment, commissioner Hardesty.

Hardesty: Thank you, mayor. Thank you, helen, for that information. So I want to be clear, I absolutely know the need of having paid staff to help coordinate the work. It was really an internal question that I had. What pot of money was prosper Portland going to use in order to keep their commitment, right. And so the conversation was really about them not committing the city council to general fund resources, which are limited, but as long as they are committing their budget, I am totally fine with that, right. So that was the question. It had nothing to do with the need and the support of this public and private partnership, so I want to be clear about that.

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Ying: Thank you for that. And I just wanted to mention this because I wanted to highlight how much the prior to part, you know, the community association is dedicated to raising the funds to match the grant from the city, and I want to also, you know, just give examples of new energy coming into the neighborhood. You heard about all the different entities that have joined the neighborhood, and recently, the tribune had an article about the revitalization work that's going on. Opb just invited us to be on Their "think out loud" to talk about the new energy that's happening in the neighborhood. So we are excited about that. And lastly, my point, another point that I want to make is regarding the work that marc jolin, the director of the joint office, has helped us. As you might remember we have come before you, is it three year ago, marc? I am trying to remember when it was, when the city and county wanted to have a shelter in the neighborhood, and we already have it over-concentrated, number of social services in the neighborhood, and we cannot add any more. When the city said, you know, we are going to go ahead and do it anyway, we said we need a task force to really come up with a set of comprehensive strategies to help mitigate the livability and public safety issues in the neighborhood and also address you know, the social service needs in the neighborhood. So the task force, actually, came to go and was formed with the help of marc's office, and we started our work in april of 2018. We completed the work in may of this year. That was in terms of coming up with the strategies. We will be coming again to you to present more in-depth looks at the strategies, but we, actually, also form the implementation committee. If we have strategies sitting in some writing, it does not do any good. So we have an implementation to organize, and we are in our second month of that, and we Already chose six strategies that we are going to actually start implementing, and one of the things I am organizing is the education piece, with coordinating the collaboration of our social service providers, and we have met twice already since then, and we are having a series of open houses to inform and educate the social service providers on how they could work better together in the neighborhood. These are all the old town service providers. It is starting with the first open house on september 26, and after the first series of that set of open houses, we are going to open up to the public, a broader public to help everyone to understand we would invite you to come in and participate, and what kind of services are available, and who the people are that are being served, and how can the public be a part of you know, this ongoing need that we have to meet the needs of our people who need the social services.

Wheeler: Commissioner Fish?

Fish: Helen, you provided such stalworth leadership not just in the action plan, but with ccba and with all of the good things that are happening, so you have our debt of gratitude, and I am just curious, if at some point the greyhound, you know, bus company and the buses leave the -- where they are currently, you know, from the bus terminal, and we have an opportunity to reimagine that part of -- of old town/china town, what's on the wish list?

Wow, one of the things we have worked towards is having a balance in the neighborhood. What has caused some of the things that have inhibited us or barriers because of imbalances going on right now. So in order to have balance, we need to have people living in our neighborhood, so housing is a big priority for us. It's hard for me to answer that question right now. But, I do believe you know, having a thoughtful process involving the community as we have over time with like the 4th and burnside parcel and block 25 parcel, you know, those are very helpful conversations where we can engage the stakeholders to come up with an informed set of recommendations.

Fish: Thank you very much.

Wheeler: Commissioner Fritz.

Fritz: Thank you very much for all of the volunteer work you do with the community association. It's exciting to hear that you are able to self fund the development -- last the term you used?

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Ying: It's the community development director.

Fritz: The community development director, kind of the seed money that the council put in five years ago was matched, and now that the businesses are so vibrant in old town/china town, that they can take on that funding ongoing. So, congratulations. Thank you for all that you do with the community association. It's really much appreciated, and you are a great partner.

Ying: Thank you, commissioner Fish.

Wheeler: Thank you, helen. Good morning.

Marc Jolin, Director Joint Office of Homeless Services: Good morning, mayor and commissioners. I'm marc jolin, the director of the joint office of homeless services. I will probably touch on a number of points that helen just also spoke to in terms of the task force, but it will give you a more historic context for the recommendations that we made and I think that are also advanced through the extension of the proposed extension of the five-year plan so for a little over a year the joint office of homeless services supported the work of a task force that started out as just old town/china town but later expanded to include the pearl district. The task force, as helen said, came together in response to the plan to find a new shelter for people experiencing homeless on northwest hoyt. The charge was more than just planning for the new shelter. The city and county through the joint offers committed as part of the discussion about the shelter to work with the community stakeholders to develop a more comprehensive set of strategies related to the public safety and the improvement of social service delivery from the neighborhood. From the beginning, there was a recognition the work of this task force should align with the old town/china town five-year action plan in place. When the navigation center replaced the proposed hoyt street shelter, the pearl District was part of the task force, but the charge did not change. With input from a wide range of stakeholders, affordable housing tenants, social service providers, and people with lived experience and entities from the city and county, the task force first developed a good neighborhood agreement for the navigation center, which as you likely know, opened and welcomed its first guests last week. It will ultimately have 100 people staying at it at any time working on transitioning out of homelessness and back into housing. Once that good neighbor agreement was complete, we developed a set of recommendations to improve social service delivery in the neighborhoods. That process started with the convening of a dozen social service providers and participants in services along with the task force members to learn how we might improve social services. The recommendations range from improving information about services to better coordination of services, and the expansion of available services like access to behavior healthcare, in particular. We used a similar process of convening practitioners and stakeholders to develop a comprehensive list of some 25 recommendations related to improving the sense of safety for everyone in the neighborhood. These recommendations included everything from foot patrols to activating the public spaces to Improving training for private security to improving the responsiveness of law enforcement to the safety needs of people experiencing homelessness, and to expanding criminal justice diversion programs. A number of these recommendations directly align with the larger commitments within the old town/china town five-year action plan to improve overall community livability. As helen said, with any set of recommendations they are only as good as the ability to follow through on their implementations, so it is encouraging to us to see that with the proposed extension of the five-year action plan there is a commitment to implementing the recommendations. Given the values, voices and collaborative work that shaped those, I am hoping it will help old town/china town thrive and be a model of an -- of an inclusive time into the future.

Wheeler: Thank you.

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Hardesty: Thank you both for your presentations, and I want to echo my appreciation for helen, who has been just a strong community volunteer for at least the last 30 years that I have known you. It may have been longer, but we won't go there. Thank you for your work. It's greatly appreciated. We are finally seeing some results of some of the -- your passion in the community. So having said that you know, I tend to go to the dollars and cents of the matter. When I look at the tools and resources, it's really Undetermined what the investment from the city bureaus are to be as we move forward. When are we going to know specifically what we are asking the city council to commit to? I am already getting concerned about the next budget allocations because I feel like we are being set up for like -- but you said, you support this and you voted for this, and we are going to come back in a few months and have to put our money where our mouth is. So, how soon will we have enough information to know what is the investment that other bureaus are going to be asked to make in this extension?

Wheeler: So I would leave that to the prosper Portland folks, but I can assure you that the vast majorities of this is tiff funding. You raised the question on the 30,000 match for the coordinator, and that's a year-by-year decision based on the rule. Council.

Hardesty: You know, I see that the neighborhood investment vitality districts are all tiff funding but when you go to other resources, and you have the city bureaus lift it, with the to be determined each fiscal year, that sends warning signs off in my mind.

Wheeler: I don't know if kimberly, if you have more to add?

Hardesty: Thank you very much. I will accept the fact that this will be a future conversation.

Wheeler: And the homeless services is all general fund. 100% at this point.

Hardesty: Which is again my concern of us making commitments of general fund resources so early on.

Wheeler: No argument there.

Hardesty: Thank you.

Wheeler: Kimberly did you want to respond to that? We will just leave it? Some of it will be housing funds, but I agree with you.

Branam: Thank you. So we were just huddling with marc because I think what we are anticipating is a mixture of continuing the work that's happening now with the exception of the acknowledgment that the city council has invested for the last three years at the \$30,000 level, and that this is the final year, 1920 is the final year, and the request will not be coming back, so we want to come back and loop back with our public safety partners with the joint office, with transportation and in the event there are outstanding priorities to have a coordinated approach, and so we should be able to do that in the coming months.

Wheeler: Okay. Thank you. Appreciate it. Testimony. Thank you all for your patience. First three come back up.

Fish: Shedrick wilkins, it seems to me you were testifying earlier in this matter.

Shedrick J Wilkins: I'm shedrick wilkins, a resident of chinatown neighborhoods association. I live in the hud yards apartment. Every morning I feel like i'm in london, england, because I see big ben at the train station. I'm 50 feet from the pearl street shelter they are building. I see a big problem with the bud clark commons is fine all the way down to the sisters of the road cafe, but I can tell you right now, I went and talked to the sisters of the road cafe, would the pearl district shelter have any influence about the greyhound bus station, which is a terrible situation. The city allows people to camp there. I have to say, I don't want to turn on homeless people, but I do not believe people should camp out or camp at the bus station. Anywhere near the bus station. Okay? We need to get ways to get them out of there. What I didn't like is I asked the sisters of the road cafe about this, about the pearl district shelter, would allow people places to go around the bus station, and the sisters of the road cafe is not interested at all. They believe in camping rights. That

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people have the right to camp around the greyhound bus station. It wouldn't matter, they are rousted every other day. That's the central transportation spot. Chinatown neighborhood has the only helo pad in Portland, it's got the two light-rail lines right near the bus station but it's really a bad thing there. I could be accused of turning on homeless people, if you're going to camp, nowhere else but that. If you want it to look like a swiss train station you got to solve that problem. Maybe a gate where the bud clark commons is next to the Multnomah county health building so the two people can't intermix. You could still walk over to sisters of the road but the mixture of the two does not work. And I may turn on homeless people camped out at the greyhound bus station because they are going to get rousted every other day anyway. Which makes me look elitist. I'm living in london, i'm over 55, under hud, on food stamps like an honored citizen but that's the way it is. Put some bobbies there and keep them off the sidewalks near the bus station.

Wheeler: Good morning.

Ruth Ann Barrett: Hi, i'm ruth ann barrett. I'm a resident of chinatown. A block and a half from the bus station. I'm going to read -- i'm here to push a little report I did that I put into the process. I'm just going to read the two recommendations i'm making. I don't want anyone to think i'm not supporting the fact of putting the money back into old town. That would be stupid, but I do want to point something out. That is that I would like to see that the mandate for market rate housing be eliminated in all public documents. It's totally unnecessary. You can really consider the economic mix or diversity of any building using public funds by prosper Portland in the rfp process. It's unnecessary to mandate what I consider gentrification. Now, this gentrification is a little different than past gentrification activities in Portland, which I have come to understand has been significant, and that is we are not throwing people out, we are keeping them out. So by stating market rate housing, I know many of you, mr. Fish included, are much better at housing and understanding the complexity of the problem, but the first time I read market rate housing in 2014, to me that was code. That's code for white and affluent and asian, I might add, as that population also is affluent and part the target for market rate housing. As all studies have shown pretty much market rate housing means luxury housing. It's that as they say to me as they pat my head, it's really middle class housing or medium income housing or middle income housing or one of the five to ten terms used to really not address who is it that you're putting that sign out. Who is included in not being able to participate in market rate housing? In this attachment the fact of the matter is in the last five years they have done great work at bringing affordable housing and market rate housing into balance, and now they are going to kick it all the way out. So there's pie charts and I just hope you have a chance to look at them. I think this is part of institutional discrimination, and I -- I think you could use the word housing. Thank you.

Wheeler: Thank you. Good morning.

Lightning Super Connectome: Good morning. My name is lightning, superconnectome. I like the direction that prosper Portland is going so I do approve the extension. I will continue to do an overview. Some of the concerns I do have just personally is that I think when you removed r2d2 out of there you removed them out of the neighborhood. I would much rather have seen ibrahim be given the land to develop a multifamily commercial type use building there under their name, and to actually have the private and affordable bond money be used to do that, to show that people don't have to be moved out of the neighborhood to remain part of the neighborhood. That's gentrification to remove those people out of there at its highest level. Who is doing that right now? You didn't want them as neighbors in the community long term. Issue number 2, i'm looking at the union station, the greyhound bus facility. I would like to see that more vibrant, almost be turned into a recreational type center, possibly a community swimming pool, other aspects, all in that location to where you enter the city through that location, you look out and go, wow, look at

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the community and the people. Build it off of where the u.s. Post office is, having little artists out there doing their artwork, community centers. Just where you walk in. I just love this place. That's my first impression I saw right there. Again, I would also like to have more negotiations on those height limits. I don't like height limits myself on buildings i'm sorry to say, I think a height limit in my opinion is the same as someone building a wall to keep you from going from one country to the next. Now you're building height limits to keep people from coming into those communities by building up as high as you can can to have housing for them. The same ideas in my opinion is what you're doing. You're no better off than someone doing a wall on the southern border. Issue number 2, I think we should extend the boundaries. As you know harbor of hope is not within the boundaries of old town chinatown. I don't know why that was even brought up on the navigation center, but my position is I would like to extend that boundary out to the new baseball stadium. Have that brought into the old town chinatown -- it's going to be down the waterfront on one of the terminals down naito. They have proposed the diamond project. I would like that boundary taken out so that becomes part of old town chinatown. I think that's going to be representation of the energy and revitalizing old town chinatown in a way that I think would bring them the investment dollars but done in a reasonable manner as the individual stated to create balance, to create balance. Amazon, old town chinatown, baseball stadium. Step up to the table, jeff.

Wheeler: Thank you.

Moore-Love: The last two.

Wheeler: Good morning.

Tony Jordan: Good morning. I'm tony jordan. Thank you for bringing up some of the concerns I addressed over social media. So specifically I think that actually the concept that this action plan which item 1.31, about parking garages, in 2017 prosper Portland entered into a memorandum of understanding with guardian development around block 33 to attempt to build additional several hundred spaces under a proposed development there and buy four, 500 parking spaces to lease some back to the development. That what's probably in the tens of millions of dollars if it had gone through which it didn't. Earlier this year the city did projections on expanding the naito-davis parking garage adding potential levels on top of that which from one of the higher estimates there was about \$17 million for parking. They looked into talking to the greg goodman family as part of the developments they are doing to redevelop surface parking lots. Replacing surface parking, surface stalls will cost 50 to \$60,000 each. While it's easy to say we're just replacing stalls and this isn't million of dollars it adds up very fast to millions of dollars. While we're spending that money if we spend that money which I know is tif, still, that's my understanding potential property tax money that would actually go into the city's general funds or county and come down, so this is real money potentially. What i'm concerned about is loss of opportunity when we spend -- if you're moving a parking space from surface lot and you're going to build a structure for 50, \$60,000 you're spending \$60,000 to remain one computer spot into downtown. That's going to take you do, 30 years to pay off. How else could we spend that money now today? How many bus passes can that buy? How much additional transit? How much housing can that underwrite? And to say that if we're replacing it one to one, we're not reducing car trips, we're adding a lot of parking in the post office. A lot. Broadway redevelopment, it's right on the edge. There is a lot of parking going in there. To argue that we're somehow going to run out of parking in downtown we need to reduce the number of trips. It's already congested. I think that in the light of -- this is fossil fuel infrastructure, freeways, parking garages, those are things that, like, we're at an inflexion point. I would argue this is not leadership. We should be shutting down the idea that we're going to build parking garages with public money in this city in 2020.

Wheeler: Thank you. Good morning.

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Charles Bridgecrane Johnson: Good morning. Charles "bridge crane" Johnson. Hear, hear to the not real need for parking garages. In an area served by more max stops than most people could ever imagine being close to. Parking garages with helicopter garages on top not the way we need to go. It is interesting to just look at this area because it's not -- the action plan is not just old town chinatown but going all the way from kind of southwest across the river, things that haven't been mentioned, the new Windham World Resort by Pine Street Market, Kell's all that is down there in the Skidmore Historic District. Inside we have another what we insist on calling the new Chinatown/Japantown Historic District. Fortunately, we did hear that the foundation has made an arrangement -- I don't know if they own the whole building or will condo the space, but it's hard for you to even make decisions on what to do here because the information includes a 10-page glossy but not very many facts. It doesn't break down the percentage land use that's currently with surface parking and specifically talk about it. The map, this little gray and white map is inaccurate. There's still an undeveloped lot where right 2 Dream Too was. That gate, I believe was bought by PDC, the market is really in control regardless of what we do with financing supposedly. It's interesting he mentioned a Greyhound station. If you ever were to go there that's below your pay grade what you make as commissioners now but you go in the Greyhound station on the south side and near the loo are about 20 toilets with security guards. When we talk about the smell of urine and feces it's the intentional policy of the city council and the Portland Development Commission to make toilet access in the train station and in the bus station difficult to impossible. So you know, shut up about the urine and feces smell until you take the proper action to make people get to the toilets that they need. I was glad the gentleman talking about the parking situation mentioned it's also weird that we have this action plan and it doesn't dovetail with what's still a post office and also a food cart parking garage, parking lot. The back side of the post office still has these supposedly distressed entrepreneurs who were stunned that we're going to get a Merritt Corporation Ritz Carlton in there. We need comprehensive planning not a glossy brochure.

Wheeler: This is a resolution. Call the roll.

Hardesty: I think there's a lot to be excited about in extending this agreement for Old Town Chinatown. I am very concerned that the city -- I'm hopeful that the city will be a better partner this time and that we're a much more thoughtful about really what it is we're hoping to achieve with this ongoing action plan. I believe that we have the opportunity to do it right. I am concerned about how delayed we're going to be based on the appeals that are taking place and what will or will not come out of that, but I think I'm comfortable knowing that there's a vision that's working very cooperatively with the neighborhood. I do have some concerns about what clean and safe will look like and the new extension, how will we decriminalize a lot of transient houseless people who live in that area. And how we can be less reliant on law enforcement responses to people who quite frankly are ill or have nowhere else to go. It's heartbreaking to see the people that hang out in Old Town all day every day with no access to resources. So I hope this helps to build or revitalize businesses in Old Town as well as take a humane approach to the people who are trying to survive on the streets outside of Old Town as well. I vote aye.

Eudaly: Aye.

Fritz: Well, first we need to declare a potential conflict of interest. I own a home in this plan area with my son and daughter-in-law which I didn't own when we first adopted it in 2014. I'm really pleased with the foundation that first five years has bore and definitely is not the time to take our foot off the gas. Real excited that the community association, a neighborhood association and a business association, they really do a great job of responding both to the historic aspects of the neighborhood and to working together to do really great things. Thank you to Prosper Portland, the outreach you've done on this extension with six public meetings and other outreach has been exemplary. I'm excited to

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support it, very pleased that we're not continuing the system development charge exemption. I think I voted against it in the first place because of that issue.

Fish: You and I both did.

Fritz: I'm happy to see maybe that helps, maybe it didn't. Glad it's not going forward. As in all the other areas we need to continue to maintain our infrastructure. To make sure that newcomers pay into the system. With that i'm happy to thank staff and vote aye.

Fish: Excellent presentation. Thank you to director branam and her staff for giving us an update. Thank you to helen and to community members for taking time to contest fee i. Helen, you deserve some kind of medal for the work you've done. Not just talking about your marriage to steven, i'm talking about your work on this project. We have lots of things going on in my bureaus that interact with old town chinatown. We're about to put in new sewers which will be disruptive but make sure the sewers are updated for the next 100 years. The opportunities with the post office site redevelopment give us a chance to reimagine the north park blocks and the pivot to the new park spacing that have been imagined for the post office site. I think the north park blocks will be in the queue for a refresh. The lot in front of the pacific northwest college of art, which is now a parking lot, is actually parkland. At some point it needs to be developed in harmony with what we're doing to the north and the south. Very excited about the prospects of supporting the lan su chinese garden expansion plans and I hope someday for there to be not only a cultural center there but a hotel and world class restaurant. That's very exciting. Parks has a role to play on that. At some point I would like to see darcell's legacy in this district highlighted in a more profound way. We'll have a chance in the future to talk about that as a council. Darcell has had such a profound impact on old town chinatown I think we can do better. Good report. What's going to happen is that by the time the luba appeal is finished there's going to be a recession so we'll be further backed up in terms of development. But to lightning's point about height, I just got back from a vacation where I was in new york and they had built these point towers for wealthy people that went up into the sky as far as you could see. I don't know who would like to live in one, they sway quite a bit, and second no one could afford one. The top unit sold for \$240 million. But third, it destroyed the sort of harmony of manhattan's skyline. We have to remember old town chinatown includes an historic district and we have to be also mindful that when we cast shadows in that district it affects things like the lan su chinese garden. We have to be cognizant of that. My own personal view is I hope the luba appeal fails and we adopte the 160 foot rule. That makes more sense. Thanks for the presentation. I vote aye.

Wheeler: I want to thank director branam, lisa, thank you for your longstanding leadership. Marc jolin here to give a presentation on homeless services. Many people came together from the community association to help shape this extension. It's comprehensive, it focuses on neighborhood investment. Business vitality. District liveability and a host of other issues. It is an excellent plan to build on the progress made since 2014 and i'm strongly supportive of it. I just want to thank everybody for having this vision and I look forward to continuing to help lead in the capacity that I can with the joint office and prosper Portland and the housing bureau and other bureaus in my portfolio. I'm 100% behind this effort. This is a great example of what happens when the community leads. Thank you. I vote aye. Next item, the resolution is adopted. 831. I have asked kimberly if she could keep this one -- lisa, are you presenting? If we could keep this short I would appreciate it.

Item 831.

Wheeler: We have seen the city investment long term commitment to collaboration transform the lloyd district. As the district has grown into a vibrant hub the partners involved in the implementation of the convention center plan never lost sight of one of the foundational elements called for in the plan. That is the development of a convention center hotel to support and strengthen the convention center. Our partners at metro have

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done an outstanding job of moving the hotel from vision to reality and to the point now where the end of construction is fast approaching. Throughout the design the development construction process the partners acknowledged the critical role parking would play in the viability of the 600 room hotel. I'm pleased prosper Portland stepped in to contribute to the adjacent property for the development and ensure the project overall success and provide long term district amenity. I felt strongly that we also had a tremendous push to leverage the garage development and potentially maximize density in this vibrant district. With that in mind I directed prosper Portland to explore the potential of utilizing the air rights above the garage for the possible development of a commercial office tower. The air right refinement work is under way. While we don't know what the final outcome will be i'm excited by the potential of offering the district and the city a viable, cost effective solution to help address future office space needs. With that i'll turn it over to lisa. Good morning. Again.

Lisa Abuaf, Director of Development and Investment Prosper Portland: Good morning. Thank you. I'm lisa, the director of development and investment with prosper Portland. The action that's before you today is requesting to amend the Oregon convention center urban renewal area plan and the action really would just not preclude a public entity or public partner participating in the office development currently under design above the garage that is supporting the convention center hotel. This action is based on the requirements of the Oregon convention center urban renewal area plan adopted by ordinance in 1989 which requires that we bring these amendments before council for approval should we be pursuing a project that could include a public building and that such amendments explain how the building could serve or benefit the urban renewal area plan. We believe development of the office tower advances the purposes of the original plan which included maximizing the regional job potential of the area as an economic anchor and by encouraging and supporting industries and businesses to locate in the area. We have three key areas that we have been focused on in the convention center tif district. 100 Multnomah is located in the middle between -- the mlk grand and the rose quarter areas and offers an opportunity to introduce new commercial development and to maximize use of that site, introducing mixed use to the garage. It's located just to the north of the convention center and just to the west of the new convention center hotel. The Oregon convention center area has reached its maximum indebtedness and the resources we have available are what remain in the investments and what you saw with when brought our proposed budget before you is we're focusing our investments in key areas of the rose quarter, broadway, mlk, grand, with a focus on job density increase in the district. A believe kind of snapshot of the 100 Multnomah office project, our intent as expressed during the design review process and as the mayor mentioned was his instruction was never to build a stand-alone parking garage but to come back with an office tower above the garage. To that end we have been moving forward with that two-phase approach of design and construction on the garage. It's about to be completed and opened concurrently with the hotel. Then we have been undertaking design of the office tower in anticipation of construction over the next year or two. The office tower will be approximately 100,000 square feet and runs at that north edge and right above the garage tower what you see here are the renderings that we have been taking before the bureau of development services land use process. We have been working with bds to ensure we stay on schedule within the current building code which is anticipated to change at the end of this year. Currently based on our board instruction we're preparing to list the design product that gets completed this year as fully entitled product on the market and we want to make sure that we are not precluding a public partner from participating in the eventual tenanting and/or development of the project. We're aware of the current space needs work as well as potential partners' interest in the work. We'll be marketing with a broker for

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private tenants and/or development interests. This in no way assumes a public tenant or partner. We have been undertaking outreach to the community both through our budget process as well as regular updates and we kept community partners apprised of the 100 Multnomah project. As well as our intent to bring this action before city council today and both groups are supportive of the project and our agency's investment in it particularly because it brings mixed use to this site and this area of the Lloyd district w. That I will turn it over for any questions.

Hardesty: Thank you, mayor. Thank you for that presentation. Am I to understand this will be a city owned building?

Abuaf: No. It just doesn't preclude the city's opportunity or another public partner such as metro, trimet, state, et cetera, from tenanting or developing the project. It will not be a city owned building. Right now what is owned, the air rights and the design product is owned. That's what we'll be marketing for sale.

Hardesty: So you're selling the air rights to a private entity that's then going to build an office building that will be at market rate? Is that accurate?

Abuaf: That's correct. Or to a public partner if a public partner is interested in purchasing the design and air rights.

Hardesty: So I don't expect you to answer this but I would hope Lloyd district has a lot of small businesses that are being priced out, and as we continue to develop or imagine what the future could hold I'm wondering if prosper is having conversations about how do we protect small entrepreneurial businesses, especially in the area that has excellent public transit, and so I would hope that that would be held in the same esteem as what can you sell the air rights for to the highest bidder. I think the city might have a public interest in making sure that small businesses are able to thrive in the Lloyd center area and I don't see just selling it to the highest bidder fulfilling that mission. Just a comment. I don't know who is the right person to respond. Probably Kimberly. I'm concerned that once you sell the air rights it's gone.

Abuaf: Certainly something we can take back as we think about how we're listing it with the broker. It's something we have been considering for the ground floor retail. There's actually a small footprint to think specifically about how small retailers and/or commercial interests could be located on the ground floor of the existing garage structure.

Wheeler: Very good. Public testimony? Two minutes each, please.

Moore-Love: One person signed up. Charles "bridge crane" Johnson.

Charles Bridgecrane Johnson: Good morning, commissioners. Charles "bridge crane" Johnson. I apologize I didn't do the historical research but I'm sure at least two of you remember 21st amendment gave women the right to vote. Obviously something completely different when we talk the fancy bureaucratic language for the air rights to have office tower on the west side of the new Hyatt convention center hotel. It's kind of outrageous and insulting to constituents that we can say 100,000 square feet without talking about how many floors this might be. It's not a big deal because it's not -- it is a big deal financially and visually because we have the glass spires still tour landmark of the twin glass spires of the Oregon convention center hotel and perhaps it will be incurred by a freeway expansion that the city has not uniformly opposed. I appreciate everybody on this council who has told ODOT no, no more new lanes, Rose Quarter five expansion here, but it would be great to be marketing a hundred thousand square feet directly abutting the expanded I-5 at the Rose Quarter. Let's try to work comprehensively here on the greater good, not just piecemeal. It would be great if somebody directly asked what kind of air right limitations do we have? Can they go no higher than the hotel? Higher than the hotel? When it gets down to the average citizen the most important thing talked about was what's going to happen in the retail and how do we keep even if there's a recession how do we get good working jobs in that little pedestrian area approaching the Rose Quarter transit

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center, keep things vibrant in the moda center so that there is business activity, people can afford to live just two blocks away, shortly the mayor and you all will be opening a new public housing project that's on grand across from the hotel. So great to have some work space jobs, but people when they hear you doing things would like to know how tall of an office tower and air rights are we talking about. Thank you.

Lightning: I'm lightning. I represent lightning superconnectome. One concern I had on this is you stated you wanted to do primarily office. I was thinking why not do a mixed use with apartments and office? Due to the fact we have a housing shortage. I don't know if that can still go in that direction or not and why they may not want to do that I would like to hear that. On the air rights I haven't heard any idea on where this price will be negotiated. A question I don't know if it was answered yet is who actually owns this property? I would like to hear that statement. I would like to know who the owner is. To have a clear understanding on this type of a project we're talking with the air rights. So yeah, I have some concerns on this, some hesitations and again, talking on the height limit, what are we talking, height of the convention center hotel? I assume this has been approved at the same level. I think there's a lot of things that are unclear here. Again, I don't know if I want to have this even moved too much farther until we have those answers, especially who is the owner of this property. Was this negotiated with one of the major hotel owners that had a problem with the convention center and metro decided to slide him over a property to keep the litigation from going after them to stop that project? Is he the owner of this property? That would be I believe mr. Sunderland if i'm correct. Was in those negotiations.

Fish: Sundlun.

Lightning: Yes, sir. Is he the owner of this property?

Fish: I can't answer. Sorry.

Lightning: Put Portlandmaps.com on the screen.

Wheeler: Thank you both. Anything you would like to respond to?

Abuaf: Sure. I was going to add the rendering that I showed is what has been approved by design commission as we go through, so it will be about ten stories, just to answer that question. Within the entitlement. The property, the air rights are owned by prosper Portland. The garage is owned jointly between prosper Portland and trimet who owns a portion, the ground floor portion and a portion of the parking. Then we have a long-term lease with the convention center hotel because it did build without any parking so it provides all of the parking that was needed for the hotel. So the garage is co-owned between prosper Portland and trimet, and there will be a third -- we own the air rights today. There could be a third party ownership for the air rights.

Eudaly: To the question about why not include residential -- is it zoning? Is it --

Abuaf: It's actually we have prioritized it around office given the access to transit and that lloyd district is a really important jobs center and tends to be how we promote our properties first and foremost for jobs. And as was mentioned, I think the housing bureau doesn't have a significant amount of remaining resources so most often when partnering on housing projects we're partnering with the housing bureau around mixed income and/or affordable housing.

Eudaly: If a private developer is going to buy the air rights why not give them the option of residential or mixed use?

Abuaf: We could do that.

Eudaly: I don't have a strong feeling on this. I wouldn't want to live on grand or mlk, whatever street it's facing i'm not clear, but it's at least worth considering.

Abuaf: Absolutely.

Wheeler: Commissioner hardesty.

Hardesty: Thank you, mayor. To commissioner eudaly's point, it's directly across the street from a lot of brand new apartment complexes, right, so I don't think housing would

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be like a top priority, but I agree that if you're selling the air rights, and if you're going to sell the air rights it should be up to the person doing the development unless we have clear criteria for who should be invited to apply, especially if they are making sure that we have permanently affordable housing for small business space for small businesses. We are not investing in small businesses at all in a way that's going to help them thrive over the long haul so i'm just concerned we keep making the advantages for the big ones but the small ones are still suffering.

Abuaf: I want to make sure that we are also selling the design product so we could certainly list it as the air rights for any use. Then the air rights plus the design product for office use. Because we we have been taking forward is an office. When we designed the office we designed it to carry a commercial use above.

Eudaly: Okay.

Hardesty: Is the garage going to be really expensive? It cost a small fortune before we did the expansion with the hotel. What is going to be the rate at this garage?

Abuaf: Right now it's being priced -- the pricing mostly for -- again, the majority of it is being used by the hotel. The hotel is setting the pricing. Valet parking. We have access to it on off times or if it's not being used at full capacity for the hotel. The pricing is at our discretion.

Fish: Can't resist noting, I feel bad for people waiting because we're just getting to the meat of our agenda here, but we had testimony about the affordable housing development on grand street. Again, in the old days when that property was in the portfolio of the Portland development commission, it was slated to be a luxury hotel, and when it transferred to the new Portland housing bureau and then was subject to the guidelines of affordable housing we ended up with a vision that we currently have, affordable housing on a fantastic location. I couldn't be prouder of that. So thank you very much.

Wheeler: Very good. Pleat call the roll.

Hardesty: Aye. **Eudaly:** Aye. **Fritz:** Aye. **Fish:** Aye.

Wheeler: Aye. Resolution is adopted. We are going to read 833 and 834 together, please. **Item 833.**

Wheeler: We'll hear from staff on that. Who pulled 833? Okay. Very good.

Eudaly: Mayor, while this involves pbot it's coming from oms, it's your item, I would like to add because the settlement has not been agreed to we have to be somewhat careful about what we ask and what we say. It could change the analysis --

Wheeler: Thank you for that admonishment. When it comes to lawsuits and settlements, I say virtually nothing. I let legal counsel speak for me.

Randy Stenquist, Risk Management: Good morning. Randy stenquist, city's risk management office. With me is ashley carter. City attorney's office.

Ashley Carter: City traffic engineer.

Stenquist: The matter before you is to resolve some litigation involving a bicycle versus trimet bus collision on december 1, 2015. The location where this occurred is --

Wheeler: Could you speak up a little? I'm having trouble hearing you. Better. Thank.

Stenquist: The location where this occurred is one of the most complex multimodal intersections in the city, light-rail, heavy rail, dedicated bus lane, multiuse path for pedestrians and cyclists, motor vehicles and bicycles sharing multiple roads and numerous crosswalks, marked crosswalks all converge several blocks from the east end of the tillicum bridge. Mr. Gorman was moving through the intersection on his bicycle on what he believed was an exclusive green signal for him when he collided with the side of the trimet bus to his right which was also moving through the intersection on a green light. Mr. Gorman suffered multiple injuries including broken bones which resulted in multiple surgeries. Mr. Gorman's attorney filed a lawsuit in 2017 against the city and against trimet alleging negligence by the city for design and maintenance of various components of the

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intersection which resulted in an unreasonably dangerous conditions for bicyclists and others moving through it. In his words. In september of 2018, the parties attempted a mediated settlement of this matter with no success. As a trial date approached in 2019, we tried again with risk management, city attorney's office, trimet, pbob all attended a judicial settlement conference with a state court judge in an effort to come up with a reasonable solution to the matter. We proposed and this agreement before you is is what the result of that settlement conference was. This is to resolve the litigation in exchange for \$145,000 inclusive of all of mr. Gorman's attorney fees, medical bills and other related costs.

Wheeler: Commissioner hardesty.

Hardesty: Mayor, I pulled this off the agenda. I'm always concerned when we have big claims that we're paying out and I have had some really good conversation with risk management because i'm trying to understand whether or not the city's bond rating, insurance, is at jeopardy when we pay out these enormous claims like this. So not specifically to this one but this one is a large six-figure dollar amount, which is not a normal settlement for us. As I looked at our consent agenda we had a few of those on it, and so I wanted to have the conversation really about what is the danger, what are the risks if we continue to have a multitude of traffic accidents and other issues that we have to pay out these significant claims. Does that make sense?

Stenquist: It does. I will defer to the bond question to the risk manager. You've reached out to him already. He can follow up. As to the other claims that my office gets involved in settling some of, the money that we use to do that in every case is coming out of what's called the insurance and claims fund. That fund is derived from essentially premiums that each of the bureaus pay to risk for the services that we provide. Those monies are essentially held in reserve for covering the claims that come through that we winds up paying on or the legality of cases that we are not paying on so that's where the funding source is for all of these things. Each bureau pays an amount every year based on their loss history, their exposure. Some bureaus have higher exposure, say the police bureau driving 24/7, than say the planning and development has a low exposure. Their formulations are calculated based on number of claims, type of exposure. For auto accidents one calculation is number of miles driven by that bureau. Every year they come up with an allocation that each of the bureaus pays and that's the money that we are accessing to pay out claims.

Hardesty: Thank you. Is that -- have you ever not had sufficient resources to pay claims?

Stenquist: No, ma'am. The city self-insures for the first 1 million on these types of claims. So we have excess insurance coverage available to us above that million dollar limit. We very rarely tap that layer of insurance, but it's available if we need to.

Hardesty: That answers my question. Thank you.

Wheeler: Very good. Thank you. Appreciate it. Thank you. Is there public testimony?

Moore-Love: Lightning wished to testify.

Wheeler: Two minutes each, please.

Lightning: Yes. I represent lightning superconnectome. One big concern I have always had is on the insurance or do we tap into a general fund. What I found interesting is that a statement was made we're self-insured up to \$1 million. Now, the way I hear that maybe i'm wrong is that if we're self-insured we're going to pay that ourselves before we utilize the insurance money. Now, if i'm incorrect on that that sounds to me like they are going to use that out of some fund they have, general fund or wherever that's set up. It sounded to me like they set this fund up based upon the exposure itself, either low level or high level, and obviously the police would probably be at the highest level, fire department second because of of the speed they are driving when they have to go to a certain location. That would be expected. I would like to see a report done, maybe an audit on this situation on understanding how they develop that exposure to level on how much they have to pay,

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how many miles they have to go we're starting to see these numbers show up in front of us to have a clear understanding. Insurance taking care of this, is this coming out of some general fund that we could be putting more money into services and do we need to have upon any accident an immediate drug test taken to make sure if there are any issues we correct them fast and should there be driver training courses put into place whenever we have any type of situation where we have this type of number presented and paid out. Thank you.

Wheeler: Thank you.

Charles Bridgecrane Johnson: Good morning. Charles "bridge crane" Johnson. I want to thank commissioner Eudaly and commissioner Hardesty for bringing this up. You know, here of course we have the sad issue of Mr. Gorman's injury, and unfortunately because of the way bureaucracy or government works or doesn't work it doesn't compared with a discussion of what other money has been expended to make sure this doesn't happen again. That of course doesn't need to be dovetailed here but that's the way tort works is the city gets stung for \$145,000 and hopefully the city responds in a way that mitigates and reduces risk at that intersection. I wish we had a better system of government that partnered these two things, the 145,000 sting with the things that -- this happened before commissioner Eudaly was even elected but I know she's concerned about vision zero and has probably done things to know what's happened at that intersection to increase safety. You know, when we settle things semi behind closed doors and the check goes to -- congratulations for finding this person who probably had very expensive injuries and getting this money but I want to make sure that we're not only talking about conserving financial risk but making sure that risk of injury is eliminated to the citizens. Thank you.

Wheeler: Thank you. Any further discussion? Please call the roll.

Hardesty: Aye.

Eudaly: I just want to quickly say that I'm of course concerned about any injury that happens on our road. This is a complicated intersection but I'm pleased to report there's been no other accidents that we know of at that intersection. Since the crash pbot has adjusted placement of a sign that instructs cyclists on the use of the multiuse path to use the pedestrian crossing and a signal will be installed with a few other changes including changes to striping. This accident I think just highlights the need for everyone on the road to obey traffic laws whether you're a driver, a cyclist or a pedestrian. And I vote aye.

Fritz: Aye. **Fish:** Aye.

Wheeler: Aye. The ordinance is adopted. 834, please, was also pulled.

Item 834.

Wheeler: So I was given a statement to read. On February 9, 2017, Don Perkins, a 59-year-old man living in his van, called 911 and reported he was suicidal, had taken pills and would take more if he could not contact his doctor. Boac dispatched Portland police to an approximate location based on the cell phone GPS. An hour later two Portland police officers located the van and found him sitting inside with pills on the floor around him. One officer noticed a black object in Perkins' hand. Both heard a sound associated with firearms and they requested additional officers. Perkins tossed a pill bottle and small black object on the ground from the open side of the door of the van where he sat. Believing it was a gun officers told Perkins not to reach for it or he would be shot. Other PPB officers arrived. Perkins bent down and reached toward the black object. An officer fired one round from his rifle. Perkins jumped behind a tree yelling at officers to shoot him. He again reached for the black object and both officers fired additional rounds, injuring him. Perkins was handcuffed and transported to OHSU via ambulance. The black gun he had reached for was later determined to be a replica. Mr. Perkins' injuries were substantial requiring multiple surgeries and a lengthy recovery process. His medical bills exceeded \$300,000. Mr. Perkins' attorney filed a federal lawsuit in 2018 against the city and the two officers who

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shot him alleging excess force and seeking \$1.3 million. Mr. Perkins got a new attorney in april 2019 who relayed a desire to settle the case. The parties including mr. Perkins attended a judicial settlement conference in june and mr. Perkins agreed at that time to accept a \$60,000 settlement and dismiss the lawsuit.

Stenquist: I will say no further other than rod from the city attorney's office provided the city's defense. We have been working on this from the getgo. If you have any questions about the legal aspect of it we're here to discuss that.

Wheeler: Who pulled this item?

Moore-Love: Dan handelman.

Wheeler: We'll hear from mr. Handelman and perhaps there will be a question or two. We appreciate your work on this.

Stenquist: Thank you.

Wheeler: Was anyone else signed up?

Moore-Love: We didn't have a signup sheet for this one.

Wheeler: Very good.

Moore-Love: If anyone else wants to testify, come on up.

Wheeler: Good morning.

Dan Handelman: Good morning. I'm dan handelman with Portland cop watch. Until recently whenever there was an item about a settlement about police use of force it was put on the regular agenda. I also pulled several months ago an item where there's a shooting in the laurelhurst neighborhood for discussion because we don't have discussions at city council we don't have them anywhere. I testified last week about changes to the police review board noting they happened behind closed doors. Even when citizen review committee members sit on those hearings the discussion about the substance of what happened can't be repeated because it's confidential. There's no public discussion of these high profile incidents unless they happen here. I'm hoping that in the future these will be put on the regular agenda, not on the consent agenda any more. We have no objection to the settlement itself. It's worth pointing out this happened the same day quanice hayes was shot and killed with a shot to the head and the chest by a Portland police officer. Mr. Haze was african-american. Mr. Perkins is white and he lived. The oir report when they were talking about this incident said mr. Perkins did not have anything in his hands when the officers approached him. Neither quanice hayes nor mr. Perkins pointed a weapon at the officers before they were shot. So that's of concern too. One officer involved in this was also involved in another incident where a person in a mental health crisis was shot and no plan had been developed. It seems this was another incident where this person was admittedly suicidal and didn't seem the officers had a full plan about what to do. The police review board report that came out, the printed report, said that the members of the board commended the officers for their actions rather than questioning whether mr. Perkins actually reached for the gun. So there are a lot of questions about these cases that really need public discussion. That's my issue.

Wheeler: Thank you.

Charles Bridgecrane Johnson: Good morning, commissioners. Charles "bridge crane" johnson. Again, the mess of how tort and liability for the city intersects with the problems we're paying for and not paying for, the problems we only delay payment for, it's an unfortunate phrase but I don't know one more politically correct, so suicide by cop. According to the narrative the mayer reed, that was almost explicit request of this person in mental health distress. When during communications jason rematt presented we were talking about the same issue. One way or another, society is going to pay, whether it's hospital bills, funeral expenses, tort liability. We need to really -- we're fortunate -- here's a person who is probably very low wealth, low income in a situation where he has come to believe that \$60,000 is a correct amount to hopefully reset his life and deal with whatever

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ongoing trauma and injuries he has. But I know you're all working hard to really deliver to us the systems of care that make this never happen. Some of that is going to be a slow process that's not in place based on what was said during communications. But you know, there's not an official -- it's weird. The city in one extent is expected to limit its engagement and involvement, yet we know one of our neighbors was suffering extremely and is probably going to have some forms of prolonged suffering and we don't know whether the \$60,000 becomes in the bank or if he's permanently connected to care and support. Let's cross our fingers and vote yes.

Handelman: Just so you know there's something wrong with this clock.

Wheeler: Already. Very good. Maybe we can get that looked at after the meeting. The clock is not working. The leds are out maybe. We'll have to allocate that in the fall bump. New clock. Thank you. Please call the roll.

Hardesty: Aye. **Eudaly:** Aye. **Fritz:** Aye. **Fish:** Aye.

Wheeler: Aye. The ordinance is adopted. We'll move to the regular agenda, 840, second reading.

Wheeler: Colleagues, this is a second reading. We have had presentation takes and public testimony. Call the roll.

Hardesty: I just want to put on the record that I appreciated the testimony we heard last week about this assignment at new columbia. I look forward to having a new contract next year so that we don't continue the trend of just renewing it. I look forward to a full conversation around that. I vote aye.

Eudaly: I echo commissioner hardesty. I also am looking forward to revisiting this issue and also hearing from community members who live in the village. Aye.

Fritz: Aye. **Fish:** Aye.

Wheeler: Aye. The ordinance is adopted. Next item, 841.

Item 841.

Wheeler: This is a report. The investment advisory committee advises the city treasurer in investment practices. The committee reviewed the portfolio and provides insight regarding management of the portfolio. The committee is made up of at least three public members experience investment professionals. The city's debt manager serves as ex officio member of the committee. The committee is presently made up of three women and three men. The treasury division will continue to work with the office of civic life to develop a roster of qualified candidates to serve. Today's nominations include two individuals who bring a unique perspective and experience in managing public sector investment portfolios. Jeff is the investment officer for Multnomah county where he's responsible for managing the county's cash and investments. Tracy is the cash and investment program manager for the port of Portland. We appreciate their willingness to offer their experience and knowledge to the city of Portland. Welcome.

Brigid O'Callaghan, Treasurer City of Portland: Thank you. I'm bridgett o'callahan for the record, your city treasurer. I'm here today to recommend the appointment of two new members to the city of Portland's investment advisory committee. This legislation provides an opportunity for experienced representatives from the community to participate in a dialogue regarding investment portfolio oversight investment policies and practice. As the mayor said, this committee is made up of at least three public members experienced investment professionals and the city debt manager in addition to the treasurer. The committee reviews the investment portfolio, provide insight regarding commit conditions, strategies but they also have some responsibilities from a fiduciary perspective in terms of understanding the laws and standards that impact the investment processes in the city's portfolio, understanding, interpreting and discussing the portfolio in terms of compliance with Oregon revised statutes. They are to review the investment policy annually and the annually review our qualified depositories list and of course other matters which may be

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requested by city council or by the office of management and finance. Treasury has worked with the office of civic life to develop a roster of qualified candidates for this important committee. This does require a fair amount of background and experience for someone to be nominated and i'm delighted that we have two highly qualified individuals to put forth today. Today's nominations again of two individuals that bring unique perspective to the public sector investment portfolios. With us today is jeff decosta, from Multnomah county. He is responsible for managing the county's investment and cash practices. In addition to jeff who is not with us today is tracy westerfield. Tracy is unfortunately on vacation. But she --

Wheeler: That's not unfortunate for her.

O'Callaghan: No, but for us. She really wanted to be here today to have a chance to meet all of you. Tracy is a cash management and investment manager for the port of Portland. I'm going to give you just a couple of quick highlights about mr. Decosta, who is with us today --

Fish: We have his bio and materials. Mayor, given the time and we have a full agenda ahead could we just go and have the applicant make a couple of comments?

Wheeler: Sure.

Jeff DeCosta: I'm very excited, especially being here in the city, Multnomah county, right across the river. We're doing some of the same stuff as you guys from an investment perspective. Very limited, obviously. The state of Oregon has rules and stuff like that. Good to collaborate with each other, what they are seeing in the market. We're in an environment where rates are going on. I'm sure the fed will ease them again. What's our strategy? How far are you going to lock in. It's a good opportunity and also to collaborate with the port of Portland.

Fish: I love the fact we have someone at the table when someone says what's best practice in local government, there you are. Thank you for your willingness to serve.

DeCosta: Thank you.

Wheeler: Thank you, jeff. Really appreciate it. These are two outstanding candidates. You're both going to contribute a lot. I appreciate that collaboration. It's a very uncertain environment. Making sure we have our best minds together is a very sound strategy.

DeCosta: Thank you.

Fish: Move the report.

Eudaly: Second.

Wheeler: Any further business? Please call the roll.

Hardesty: Aye.

Eudaly: Thank you for your willingness to serve. Aye.

Fritz: Thank you for both your public service working for the county and now volunteering with us. Aye.

Fish: Aye.

Wheeler: Two great committee members. Very excited. Aye. The report is approved. The appointments are adopted. Thank you. Next, 842.

Item 842.

Wheeler: Good morning, lester. How are you today?

Lester Spitler, Chief Procurement Officer: Good morning. Thank you. City council i'm lester spitler, chief procurement officer. Have a cpo for the east 80th avenue and mill street project. The ordinance was approved january 24, 2018. The engineer's estimate was \$1,777,605. We issued an invitation to bid on june 26, 2019. We had a nonmandatory pre-bid conference at which four contractors showed up, three prime, one sub. Invitations to bid were due july 30. Three bids were received. The apparent low bidder is moore excavation, 1,954,148, approximately 10% over the estimate. The city's 20% aspirational subcontractor and supplier utilization goals applied. Moore excavation is not meeting the

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20% aspirational goal. They have self-performing 72.4%. They identified subcontractors that can perform 12.83% and they are subcontracting about 16% of the work to noncertified subcontractors. There's a table in the report that shows the certified subcontractors and what scope of work they will be performing with the amount. I will say that moore excavation made an attempt to reach out to a lot of subcontractors. They showed us the various scopes of work that they conducted a solicitation to receive certified firms. They didn't get many responses which is probably why they are not meeting the 20% --

Wheeler: We give a lot of business to this company and they seem to be now fairly consistently not meeting their cobid goals. What are they doing to be proactive about this?

Spitler: Well, this system they use is much like the systems we use to advertise opportunities. They have a database of firms that have signed up to perform different scopes of work for them. When they have a bid they blast out an outreach if you will --

Wheeler: Do they call people, meet with people, have coffee and say we would like to partner with you?

Spitler: No.

Wheeler: Why not?

Spitler: I think for one thing they have gotten away with not doing that for a period of time.

Wheeler: I'm raising a red flag. This is about the third or fourth time in a row that they have come forward significantly below the cobid aspirational goals. I know that there are other contractors who are making the goal.

Spitler: Yes.

Fish: Prior to your taking over as chief procurement officer, i'm thinking maybe two years ago, time flies, a similar red flag was raised and moore was invited to come to a meeting. It was attended by a number of -- a couple elected officials, this may be one you wish to host, as well as some senior staff people and these questions were asked. In light of the performance record since then I know they did make concerted efforts then, explained some of the limitations. They are likely to tell us there's just a lot of work in the market and it's hard to reach people. The mayor is right, how much is proactive versus just formula. The only way for us to get that answer is to invite them in because they are beneficiaries of lots of work. They do very good work but they get a lot of contracts. Mayor, I suggest that we know who the infrastructure bureaus are with a dog in this fight. I would urge the procurement officer and you host the meeting and we talk to their leadership about what efforts they are making. I think unless there's a change this may go from red flag to directions that we can't accept these --

Wheeler: That's an excellent suggestion. My assumption is we'll see more from this company, and I really just need to have a better understanding of what's going on here. If lester you could work with us to arrange that I would appreciate that. We should have some representatives from some of the bureaus that actually use moore excavating.

Hardesty: Thank you, mayor. I am thrilled to hear both you and commissioner Fish highlight this issue. I have been a thorn in lester's side since I got here because we keep talking about what's our aspirational goals and then we continue to have the same contractors that never achieve those goals and there seems to be no accountability for not achieving those goals. My only addition to was already said was you don't have to be an infrastructure bureau to care about equity and contracting appeared making sure that everyone benefits from public dollars. I hope you will keep my office informed as we set this up. I have a long history of following contracting at the city of Portland, and we do not have a good history. I would like to help make it better. Thank you.

Wheeler: I would appreciate your partnership on this. I think that would be useful.

Eudaly: Mayor, as the commissioner in charge of the bureau that hired them I would just want to echo the concerns expressed by the mayor and commissioner hardesty. I do recall

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multiple items coming before council from moore where they are not meeting our goals, and I know that within pbot on some of our projects we're vastly exceeding those goals. Double or more.

Wheeler: That's right.

Eudaly: I know that there's a lot of demand in the market. But it really sounds like they need to up their outreach game.

Fritz: You have an outreach team in pbot, which is why you have been getting great outcomes. Maybe you could do a training. I also wonder -- I think one time a representative came in and I asked about diversification within their company and didn't get a very satisfactory answer. I wonder if the training could include how to make your company a company that people of color want to work in and do business with.

Spitler: I appreciate the direction of council. Facilitate a meeting and conversation. It's necessary. Last time moore came up with a cpo report I looked at their active contracts and they had five and they were only meeting the goals on one.

Fish: Are you recommending that notwithstanding the dismal numbers that we accept the report but then do the follow-up work with them?

Spitler: That's what I recommend.

Fish: I move the report.

Eudaly: Second.

Wheeler: We have a motion and second. Please call the roll.

Hardesty: Well, I think i'm going to be a no vote on this one. I suspect that it will pass but I think it's good to draw a line in the sand and say if you have this much access to public dollars then you have an obligation to make sure that the public benefits from those dollars. I happily vote no.

Eudaly: If moore has not heard our message already like I said this has happened repeatedly, I hope they hear it today. I think they have heard from perhaps the entire council that this isn't acceptable. What i'm unclear about is if we are obligated to accept the lowest bid, what recourse do we have for them not reaching these aspirational goals. So i'm going to very reluctantly vote yes just because I know what not passing this will mean to the lid, but I won't be accepting another one. If you could follow up with me later on that question I would appreciate it. I vote aye.

Fritz: Commissioner eudaly, very thoughtful explanation. I was pondering to myself if you vote no what do I do? We obviously changed the policy. We shouldn't -- we have to do that before we could actually say no. I think it's important to send a very strong message so I join commissioner hardesty in voting no.

Fish: I'm going to follow the lead of the commissioner in charge and vote aye.

Wheeler: So I think the message has been sent loudly and clearly. This will go through. I will vote aye but it's the last time I will vote for this contractor if they come in this far below our expectations. So I will take personal responsibility for making sure that all the appropriate bureaus are present, lester, you'll work with me. We will not entertain any further contracts from this company until we have the meeting that all of us have just described. I vote aye. The report is adopted. Next item, 843.

Item 843.

Wheeler: Commissioner Fish.

Fish: Chief procurement officer.

Spitler: Thanks, city council. Lester spitler. Chief procurement officer. You have the report for the hillsdale south rehabilitation project. There's an authorizing ordinance 189465 approved april 17, to 19. The engineer's estimate was \$2,065 -- 2.65 million. We issued this solicitation on june 20, 2019. We conducted forms of outreach with this one. We sent personal letters, made phone calls, emails, we published a flyer. That talked about the different needs of the project, made sure the different community partners and contractor

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advocacy groups had a copy and distributed it to their members. We held a mandatory pre-bid conference July 10, 2019. There were eight firms present. Bids were due July 25 and we received three. The low bidder is Landis & Landis. Their bid of \$1,844,515 is about 10.68% under the engineer's estimate. 20% aspirational goal applied to this project and I'm happy to present that Landis & Landis is achieving that goal. They have identified 24.77% of the project to COBID certified firms, they are self-performing -- 36.3% to noncertified firms. There's a table in the report for the certified subcontractors that they have identified with the scope of work and the amount. With that Landis & Landis is in compliance with all the city of Portland's contractual requirements and I ask that you accept this and authorize execution of the contract.

Fish: Move the report.

Hardesty: Second.

Wheeler: Please call the roll.

Hardesty: I appreciate the work you're doing, Lester, to clearly identify who is benefiting and who is not benefiting from these public contracts. I'm going to support this one today but I think your outline clearly shows that once again white men are the supermajority beneficiaries of this particular contract. And so nothing against white men but I think that we as we talk about making sure that minority businesses have these opportunities as I look at this list I think, hmm, 67,000 to people of color and the rest of a 1.8 million contract actually divided up business as usual. So I know you just inherited a lot. I think this might be promising but I'm concerned that we have lots of projects coming down the pike and I think we can do better. Going back to our last conversation. I vote aye.

Eudaly: Aye.

Fritz: Thank you for sharing our concerns. Aye.

Fish: Aye.

Wheeler: Aye. Report is accepted. Next, 844.

Item 844.

Wheeler: Commissioner Fish.

Fish: Mayor, colleagues, as part of parks' 2017-2020 strategic plan which was adopted by council the bureau is undertaking an energy savings strategy. This item is the procurement contract to begin the first phase of the work. Phase 1 includes energy efficient upgrades at nine locations including five parks east of 205. You have been handed a map that's color coded and shows the five parks east of 205. The improvements include bird safe LED lighting at seven parks and the Montavilla community center. Water saving upgrades for irrigation and splash pads and new mechanical fixtures at Montavilla community center. In addition to achieving the city's and the bureau's shared environmental goals phase 1 will conservatively save parks \$45,000 a year in utility costs and reduce the maintenance liability by over \$100,000 annually. This is a win for our environment and for the parks bureau's bottom line. Now I will turn it over to Lester and Chris, who is with parks asset and development, for a brief presentation and to answer any questions.

Chris Silkie, Portland Parks and Recreation: Good morning, council. I'm Chris, asset program manager for parks and recreation. I'm the project manager for this contract. The map shows where we short listed in green for this phase 1. The yellow depicts everything that was studied as part of this process that started back in 2017. So that's an overview of the project and I'm here to answer any questions.

Spitler: Good afternoon, Lester Spitler, chief procurement officer. This is a unique procurement, the first that the city has done. It was an authorizing ordinance 188310 approved April 5, 2017. The engineer's estimate was \$2 million for the work that was intended to be executed. The city of Portland issued a request for proposals on August 21, 2017. It's important to note that the state department of energy pre-qualifies energy service companies to do this work. So when we issued this solicitation there were five pre-qualified

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companies with the state. So we outreached to all five to make sure that they were aware of this opportunity to make sure that they were prepared to respond. We held a mandatory pre-proposal conference, all firms attended. The proposals were due September 26, 2017 and four were received. Mckinstry was selected as the highest scoring proposer. We entered into a professional services contract on January 1, 2018, in the amount of \$221,987. That contract included a preliminary energy audit, technical energy audit and project development plan that has been completed. At the end of phase 1 mckinstry estimated that the remaining design and construction work will cost \$989,989. At this point since the design of that work has not been fully completed, they haven't been able to identify certified subcontractors or any subcontractors to perform the work to the design-build contract you would authorize today allows them to progress, design, to complete that at which point they will identify certified subcontractors however they have committed to 55% subcontracting dollars going to certified firms. They have identified the scopes of work in the CPO report where they intend to find those certified subcontractors. So we're going to hold them to that. They will self-performing. [audio not understandable] 45% would go to noncertified subcontractors. They are in full compliance with the contractual requirements. With that we ask you accept this report and authorized design-build contract.

Hardesty: What are we buying?

Spitler: We're essentially buying a designed-build contract with mckinstry. They have come forward with recommendations. With your authorization they will continue to design those modifications and once they are fully designed will construct them. So you're authorizing a professional services contract and a construction services contract via one agreement.

Hardesty: But this was approved in 2017. Is there a reason why it's taken this long --

Fish: It was not approved. It was put into the strategic plan as an item, not approved. This is the first time it's coming forward as an action item. It was incorporated into a strategic plan along with hundreds of other action items in 2017. This is the moment in the queue where we're coming forward to begin phase 1.

Hardesty: My last question has to do with the aspiration of 50% minority women and emerging small businesses. What experience has the contractor had in actually achieving that goal?

Spitler: We have someone in the office if I can invite him up to explain the experience their company has had.

Silkie: If I could add to that, the original procurement we actually increased the weight of the proposer's track record on minority women owned small business subcontracting. We took into account their experience and the winning firm had a track record that far exceeded all the other proposers in that source selection process.

Brad Atkirk, McKinstry: Brad Atkirk with mckinstry. We have a long history of executing the minimum 20% with the goal exceeding well beyond that for this particular project. I believe the most recent data point we have is the terminal expansion at the port of Portland. That construction project we exceeded the 20% minimum.

Fish: You're making a commitment to us you'll exceed 50%. Are you confident in that?

Atkirk: We are. I believe as was stated there are some details to be worked out in the final design phases but we have begun extensive outreach to the list of contractors that are approved on the certified list and we feel confident we can achieve that.

Fish: Thank you. I want to say we have a map that every colleague has. We also -- Mary Coolidge from Audubon came down today and spent time with us this morning. This is a procurement report so we don't take testimony, but she asked that her testimony be put into the record. Audubon is fully in support of this project.

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Wheeler: Good to know. That raises a question. Did you have a question? I had one more item. I have raised this before. I want to make sure the different bureaus are connecting because I know that in other bureaus increasing light means increasing visibility and increased safety. I'm thinking in particular of those who have asked for public safety improvements as well as those who have asked for a transportation safety. I don't know to what degree these particular lights are --

Fish: I can answer that briefly. These lights are state of the art energy efficient. One thing that makes them I think especially beneficial for the city is that they focus the light down. There's no diffusion up or sideways, which as we know is not only an inner efficient use of light but it also is bad for birds. The intensity is quite strong. We're right up against the limit of intensity that audubon would otherwise support because of the amount of light but they are state of the art focused. They will improve safety and we have lots of trails that we are concerned and walkways we're concerned about public safety. Pbot and parks regularly collaborate on these issues.

Wheeler: Great. Okay, that certainly assuages my concerns. Any further discussion? I'll entertain a motion. We have a motion and a second to approve the report. Please call the roll.

Hardesty: Aye. **Eudaly:** Aye.

Fritz: Glad this is -- we need to move forward. Aye.

Fish: Aye.

Wheeler: Aye. [gavel pounded] report accepted. 845, please.

Item 845.

Fish: I have a few preliminary comments because this is such an auspicious day and then we'll turn it over to staff for a brief power point. This part that is coming before us today is literally 25 years in the making. Lane park if built, will be one of the eastern most parks in Portland, serving nearly 2500 families in a diverse community that has historically been underserved by parks. Here's the history. Multnomah county donated the original five acres in 1994. The city purchased an adjacent 19½-acre parcel in 2001. And they purchased it from the Oregon asphalt paving company. In 2009, the community, working with Portland parks and recreation, completed a master plan for the site. And that was adopted during my first few months in office as commissioner in charge. From that time forward, commissioner Fritz carried the torch on parklane during her tenure, helping to allocate substantial additional systems development charge dollars, or developer fees, in 2016 and 2018 for the development of this park. Today marks the beginning of the next chapter for parklane, putting the master plan vision into place. Now, colleagues, as you know, new parks can be built with fees developers pay on new construction called sdcs. But sdcs cannot be used for the ongoing operations and maintenance needs of new parks. I have asked my team to give us an estimate of what the o and m might be when this park is completed, and this would be starting in the year 2022. Is that figure is \$470,000. Now, I should caution you that our history is these numbers tend to be a little inflated, based on some assumptions and in conversations with the cbo, they are reduced to whatever the number. But I want to be crystal clear with my colleagues. We have been working on this for 25 years, as we continue to move forward with this project, we are in effect making a commitment to fund operation and maintenance when it is complete. One thing I cannot tell you at this point is what our funding model will be for parks. Mayor, we are a task force that's been empanelled looking at options, we'll have a work session in november to give an update to my council colleagues. But we are going to be transparent with the council about our ongoing funding needs in the short-term and the long-term, and now it's my pleasure to turn things over to lester from procurement, and britta herwig from parks for a brief presentation and to answer your questions.

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Britta Herwig, Portland Parks and Recreation: Thank you, commissioner Fish, mayor wheeler, and council, my name is britta herwig, i'm a project manager, and i'm here to give you a brief presentation, and it seems that we're going to have to use the paper copies that you have, because we don't have a computer version right here. Forgive me for that. I'm going to give you a tiny little bit of background about parklane park. It was -- it's been a park for a very long time, it's located at the -- in the centennial neighborhood in east Portland, right around southeast 150th and a cute street called mill main. It's a 25-acre park currently five acres of the park are developed. 20 acres have been in holding, land holding for a long time. We have a current level of service radius a half mile around the park, we're serving over 2,000 neighbors, residents, and the 20-acre proposed development will add around 400 additional households to that list.

Hardesty: You're serving 2,000 people how? What are you doing with the 2,000 people in the area?

Herwig: We have a level of service measurement, so we're measuring a half mile radius around our park, which we consider to be an easily accessible distance from a park or open space or natural area where people can walk within 10 minutes.

Hardesty: There's no public transit in that area at all. Unless you live right near it, I don't know --

Fish: This is based on people who can walk to the park.

Herwig: From their residences.

Fish: People will be driving to this park and we expect that it will be used by multiple of that. But this is our standard service model.

Hardesty: I'm fine with that. I just want to be clear that today there's no public transit that provides access to that area where that park is going to be. So as you're thinking about the development of the parks over the next three, four years, working with pbot and odot and tri-met and whoever else there needs to be, again, if we keep our head down and just -- we're all about the park, we're missing the opportunity to really do the interconnectedness that we need to do. Just wanted to put that on the table. It doesn't mean it's a bad idea. Just want you to know I know that area well. It's my neighborhood. Thank you.

Herwig: Thank you, commissioner. The park has been a park since the 1970s before it became Portland. The city purchased the additional 20 acres in the early 2000s, in 2006, in 2009 council approved a master plan for the park for the entire 25-acre park.

Fish: Your power point is up.

Herwig: Excellent. We're almost through it.

Fish: You can go fairly quickly. My opening remarks captured most of it.

Herwig: I agree. We're going to straight to the master plan. Approved in 2009, this is the largest park in the area, 25 acres, so it's going to be an important neighborhood park, but also there was a recognition that it will serve the broader neighborhood. So it has many amenities, the focus was on making it a signature park for the area, providing access and focusing on safety, and then providing many spaces for gathering and play. Active recreation is on the forefront, so there's sports courts and fields, and then there was a desire by the public that participated in the master plan process to keep views open, because it has very good views of mount hood. So we're going to be taking this master plan forward through design and construction, currently we have a design team, and I think lester will fill in the details.

Fish: Before you do, the picture on the bottom right here is a picture of the basketball court that's there, and thanks to a partnership with nike and with the trail blazers, we're in the process of resurfacing all of our parks. It doesn't -- our basketball courts. It doesn't quite look like this now because the surface -- the new material didn't take. But I was at an event, mayor, when we were cutting the ribbon on the new basketball court, and there was a woman and her family that were there that lived across the street, they said this is

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wonderful, we got a new basketball court, surfacing, it's wonderful, we're going to get a 20-plus-acre park. When are we getting that community center? And I said, we're doing this one stage at a time. But the park is our next major initiative.

Herwig: Yes, we have \$16 million in system development charge funding available. We are upon approval of the design contract embarking on a design process that will likely take us through 2021, and then we will do a construction project through a cmgc construction method, that will most likely start in summer '21 and conclude in the summer of fall of 2022.

Fish: Thank you very much. Lester?

Spitler: City council, there's a few things i'm going to tie back to last tuesday's work session if that's okay. The legislative action before you is a cpo report combined with an authorizing ordinance. The pte bucket of our contracting is inconsistent with the other two buckets. So the other two goods and services of construction require an authorizing ordinance before we issue the solicitation, but for pte procurements the authorizing ordinance comes at the end. The estimate for this park was \$800,000 when we issued the solicitation. Prior to issuing the solicitation, we conducted a massive amount of outreach. We put together a flyer with britta and her team, we went to a coffee and issues meeting, we met with several firms that were certified that do landscape architecture. We socialized the flyer with community groups, contractor advocacy groups, before we issued the solicitation so as to maximize our outreach and engagement. And it worked. We issued an rfp on april 1st. We had a mandatory preproposal meet can and there were 14 different firms in attendance. Proposals were due on may 6, and we received six proposals four of those were from certified firms. And walker macy was the highest scoring proposer and since then, they have also become certified as a women-owned business enterprise. So that's five of six proposals that we received from certified firms, and I think that's a direct result of the proactive engagement that we did prior to issuing the solicitation. Walker macy has identified 38% of the work they intend to subcontract to certified firms, so now that they're a certified firm, plus what they intend to self-perform and subcontract, the overall utilization is 79% on this project. Which blows our 20% goal out of the water, we're really happy about that. The proposal, the proposed amount of \$1,189,848 is about 50% over the estimates, and britta is here to answer any questions about that. But otherwise, macy walker is in full compliance with all of our contractual requirements, and since this is a dual action, legislative action, authorizing ordinance, and cpo report, I ask that you accept the report and approve the authorizing ordinance.

Hardesty: So moved.

Fritz: I have a question.

Wheeler: Commissioner Fritz.

Fritz: Thank you both for your presentations. Thank you, commissioner Fish for your work on this. Isn't there a Portland loo at parklane now?

Herwig: There is indeed. It was installed a couple years ago as part of the bond program.

Fritz: And so I don't see that on the preferred concepts.

Herwig: Because the concept was done in 2009, so that's the map from back then. And since then we have gone back, we've improved the playground a little bit, and we've also installed the loo.

Fish: Commissioner Fritz is showing off now. She's just showing off. She was going to call us on a 2009 map.

Fritz: No, no, I just want to make sure the loo is going to stay.

Herwig: Absolutely.

Fritz: Thank you.

Wheeler: You said something that confused me a little bit. You said -- I don't see a procurement report unless it's embedded in the ordinance.

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Spitler: You're right. I apologize.

Wheeler: We don't need a motion on a report. We have an ordinance before us.

Spitler: You're right. This is the first one.

Wheeler: Okay.

Fritz: I have another clarifying question. The build-out does not include the aquatic center. Is that correct?

Herwig: That is correct.

Fritz: So for these park improvements that will be grassed and then to be excavated in the future?

Herwig: Correct.

Fritz: Thank you.

Wheeler: Any public testimony on this item Karla?

Moore-Love: No one signed up.

Wheeler: Please call the roll.

Hardesty: Aye.

Eudaly: Congratulations commissioner frankenfish and commissioner Fritz, and whoever else was involved with this in the last 25 years. I'm curious what it looked like when it was candy cane park, that sounds enchanting. I vote aye.

Fritz: I hope there will be a robust naming discussion at the end to see whether they want to keep parklane or have something else. When I went to the areas when I first got the parks bureau in 2013, the east Portland coalition and the east Portland action plan both identified parklane as the number one desire for improvements. And at that time just coming out of the recession we didn't have very much money, but now that we've been doing well for several years, it was one of my lovely parting gifts, and commissioner Fish, congratulations, it must be satisfying to have done the master plan and now to get to implement it. That's really fabulous. Thank you for your work, britta and lester, again, for a good job. Aye.

Fish: I want to thank my colleagues. For someone watching this without a lot of history and context, they're going to be scratching their heads saying, this is a year that the parks bureau took cuts and has had to scale back in some services, and here we are moving forward on a new park in east Portland. How on earth did they pay for it? Again, I want to be very clear, because we take for granted those of us in government, that we have these different pots of money that are restricted. But I think for a lot of people that doesn't always make sense. We are using developer fees, which by law can only be used to expand our system. And that -- therein lies one of the challenges, the fundamental challenges that we have at the bureau in that we have an equity agenda, which we're deeply committed to as a city to bring adequate parks resources to a part of the city that was left behind, at the same time we're trying to right size the system that we don't have adequate resources to maintain. So the -- to anybody that is scratching their head saying there seems like a contradiction, I would say you're right. But thankfully we have developer fees that we can use to build out this park, and to cover our expenses, thankfully we have three or four years to figure out where the money is going to come from in terms of operations and maintenance. And I think by then we'll have a new model in place for how we fund parks at a much more robust level, which will answer the question of how we pay for the operations and maintenance. So britta and team, thank you, I want to thank our professional staff, and lester, I vote aye. Excuse me, I doubly want to thank commissioner Fritz as I mentioned in my opening remarks for allocating substantial resources to make this day possible. Aye.

Wheeler: This looks great. I also want to add my thanks, commissioner Fritz, commissioner Fish, thank you for your hard work on this and your team's hard work on this, and to both of you for carrying this ball for a long, long time. This will be a terrific

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addition to the neighborhood. I vote aye. [gavel pounded] the ordinance is adopted. Next item, 846, a second reading.

Item 846.

Wheeler: Any further discussion? Please call the roll.

Hardesty: I really appreciated the detailed conversation we had last week about this issue. I will be voting no because I don't believe that you can treat small nonprofits exact same way you treat multimillion dollar nonprofits. I think the 25% overhead is different based on the size of the organization that's receiving the funds. So I will be voting no on this measure. You look confused commissioner Fritz.

Eudaly: So we're voting to authorize exemptions for charities, not meeting the current 25% overhead cost cap, and as we discussed when the item came forward, this has come before us before, and we'd like to address it in the long term because we need to acknowledge as commissioner hardesty has pointed out, that it's kind of a built-in bias against small nonprofits, and also some nonperishable profits aren't just -- aren't pass-throughs for money, they actually provide services and their overhead will necessarily be higher. So I do support this, and i'm looking forward to re-- permanently revising the standards so we don't have to have this conversation every year. I vote aye.

Fritz: Ditto. Aye.

Fish: Aye.

Wheeler: Aye. [gavel pounded] ordinance is adopted. Next item, 847.

Item 847.

Wheeler: Commissioner Fritz.

Fritz: You've been sitting there patiently all morning, i'm just going to let you go right ahead and tell everybody about this.

Mike Stuhr, Portland Water Bureau: Good afternoon mr. Mayor, commissioners. Hopefully this should be really simple. High points in the city are very valuable for those of us in the water business, because we use graft and anybody who has signals and towers and antennas. What we're doing here today is continuing to lease space on a tower that's owned by tri-met on odot property. We have been parked on top of this antenna for over 10 years, and every five years we come in and renew this contract. What does it actually do for us? We have a thing called a scata system, and commissioner Fritz hates briefations so it's supervisor control and data acquisition. It's basically all the electronic gobbeldygook that we use to monitor our various doings. We have receiving and broadcasting antennas on this tower, we also have space in a building that's located inside a fence at the base of the tower. The space is security protected, it's environmentally controlled, meaning it's air conditioned. And that's basically what we're up to. It's very important to our operation, we have several of these parked around the area in order to pass signals to and from our various locations. The amount is \$55,963 for five years. It's in about the same vein as what we charge people who park their antennas on top of our water tanks and so on. Kind of frankly they're the owner, but they use a cost of service model, and I think the costs are reasonable for this type of activity.

Wheeler: Very good. Any questions for mike? Is there any public testimony on this item?

Moore-Love: No one signed up.

Wheeler: Very good. This is a first reading, a nonemergency ordinance, it moves to second reading. [gavel pounded] next item, 848, second reading.

Item 848.

Wheeler: Any further discussion? Please call the roll.

Hardesty: Aye.

Eudaly: Well, i'd like to thank commissioner Fish and specifically thank tracy from his office for her work on this item. Happy to support it. I vote aye.

Fritz: Aye.

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Fish: Right back at you, commissioner eudaly. And your office and we're very excited to expand the scope of allowable uses for systems development charges to allow us to upgrade the technology and the sound systems and the experience that people enjoyed, particularly at our recreation facilities and we'll be coming back to council in the future to memorialize that on our list. I vote aye.

Wheeler: Aye. [gavel pounded] ordinance is adopted. 849, please, second reading.
Item 849.

Wheeler: Please call the roll.

Hardesty: Aye. **Eudaly:** Aye. **Fritz:** Aye. **Fish:** Aye.

Wheeler: Aye. [gavel pounded] ordinance is adopted. 850, second reading.
Item 850.

Wheeler: Please call the roll.

Hardesty: I actually am concerned that we're extending a contract for our golf courses at a time when we as you say, we have a task force that's looking at how do we fund parks in a more sustainable manner. I'd hope this would be for about a year, it's a two-year contract. I don't support it, so I will be voting no.

Eudaly: I'm going to support this extension, but I have similar feelings to commissioner hardesty. I expect our public golf courses to be self-sustaining. I'm not sure whether or not this one is, to be honest. And if they're not self-sustaining i'd like to see them put to a greater purpose. I vote aye.

Fritz: So the golf courses are self-sustaining. This one does make money, and this is following the recommendations of the audit to align the expiration of the four golf courses including heron lakes to 2021, to do a comprehensive request for proposals, that will allow for the option of single or multiple operators with appropriate alignments and incentives.
Aye.

Fish: Vincent johnson is here, I have the great honor of working with a tremendously talented team at Portland parks and rec, vincent johnson is doing a superb job be with our golf program, we are in the process of reviewing and implementing a number of the auditor's recommendations. This extension aligns the expiration of now all four east side course contracts which will give us more options looking forward, and I welcome the conversation about the place -- the future place of golf not only within Portland parks and recreation, but as a self-sufficient part of our operation. Aye.

Wheeler: Aye. [gavel pounded] the ordinance is adopted. 836 off the consent agenda, please.

Item 836.

Wheeler: Who pulled this?

Hardesty: I did.

Wheeler: Very good.

Hardesty: Thank you, mayor. I just pulled this because we've had this conversation before about why we're prioritizing the arlene schnitzer concert hall for this repair. And just wanted to put on the record once again in the mind-set of the fact that we have lots of public buildings that we own that need to be repaired. Taking this one out of the queue and prioritizing it just feels wrong. And so nothing against the renovation that needs to happen, i'm just concerned we're doing it out of context with all the other things that we have to repair.

Wheeler: Okay. That's fair enough. I want to reconfirm, we are entering into the iga because we're the building owner, but we're not actually expending any city funds on this particular project. Is that correct?

Karl Lisle, Office Management and Finance: That's correct.

Eudaly: Can you explain what funds are going towards --

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Lisle: Carl lyle, office of management finance, spectator venue for the city, provide oversight within our program of the Portland five performing arts center buildings which are owned by the city, operated by Portland five through the metro. I have julie bunker who can speak to the project. And I have amy from prosper Portland who can talk about the funding and the process that was gone through to identify this project. I would like just to point out that in june on june 19th this came, and there was a presentation on the project, full of the context around the amendment to the urban renewal plan that -- and it was approved unanimously by council at that time. That's why it was placed on the consent agenda. We felt the policy direction had already been given. Maybe amy if you want to talk about the funding.

Amy, Office of Management and Finance: Sure. Good afternoon, mayor, commissioners. As Karl said, i'm the project manager with prosper Portland. The city budget office made us aware of some reserve bond funds that we had that needed to be used for a tax exempt push. And so they were in the south park blocks urban renewal area, also known as a tax increment financing district. And so when we were looking to identify projects, our executive director met with commissioners about different projects that are eligible, we looked at the capital improvement list as well amongst the bureaus to see if there were any pushing priorities, and so we also did reach out to the county and so we identified a project with the county which is the central library which you heard about in june, and then when we connected with commissioner Fritz she suggested that we look at the Portland five.

Hardesty: My apologies. There's like quite a few of these things that come in front of us, and I do remember being briefed on this one and thought it was a really good idea to invest those funds. Especially when they only could be invested in public buildings. So my apologies.

Eudaly: I think it's worth highlighting, though, because it does look bad to the public when we're spending \$1.5 million on something that seems relatively frivolous compared to some of the more urgent issues we're facing. But what they often don't know is that these funds are earmarked for very specific things, and for instance we could absolutely not take this \$1.5 million and spend it on affordable housing or homeless services. So it's just one of the weird things about -- there's lots of money in different pots, and -- yeah. Thank you.

Wheeler: Very good. Thanks for your hard work on this. I'm looking forward to seeing the results. This is the first reading of a nonemergency ordinance, it moves to second reading. Last but not least, 839.

Item 839.

Wheeler: Can I ask who pulled this one?

Moore: Lightning did.

Wheeler: It's a great project, right?

Matt Grumm, Commissioner Eudaly Office: Absolutely.

Eudaly: I'll just briefly say renewal of the license will be for a period of 15 years, and will allow the dock to remain in its current location and configuration for the duration of that time. Per this license agreement the duckworth dock will continue to be used as a short-term boat moorage for public use. The city will work with members of the public and other groups to explore the feasibility of adding swimming, Fishing and other opportunities in the future.

Wheeler: Love it. Very good. Please call the roll.

Hardesty: Aye. **Eudaly:** Aye. **Fritz:** Aye.

Wheeler: Aye. [gavel pounded] the ordinance is adopted. And we are adjourned.

Council adjourned at 1:00 p.m.