



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

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

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish and Fritz, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Karen Moynahan, Chief Deputy City Attorney, at 9:30 and 10:07 a.m., and Linly Reese, Chief Deputy Attorney, from 9:53 – 10:07 a.m.; and Cheryl Leon-Guerrero and Tania Kohlman, Sergeants at Arms.

Item Nos. 1109 and 1112 were pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

The meeting recessed at 9:56 a.m. and reconvened at 9:57 a.m.
The meeting recessed at 10:08 a.m. and reconvened at 10:13 a.m.

COMMUNICATIONS		
1097	Request of Amelia Salvador to address Council regarding announcement of the annual award recipient of the Portland Immigrant Statue (Communication)	PLACED ON FILE
1098	Request of Sankar Raman to address Council regarding announcement of the annual award recipient of the Portland Immigrant Statue (Communication)	PLACED ON FILE
1099	Request of Joe Rossi to address Council regarding announcement of the annual award recipient of the Portland Immigrant Statue (Communication)	PLACED ON FILE
1100	Request of Jan Campbell to address Council regarding the Riverplace Master Plan (Communication)	PLACED ON FILE
1101	Request of Wendy Rahm to address Council regarding the Riverplace Master Plan (Communication)	PLACED ON FILE
TIMES CERTAIN		

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<p>1102 TIME CERTAIN: 9:45 AM – Appeal of the Southwest Hills Residential League against the Hearings Officer’s decision to approve, with conditions, a 1-lot partition with concurrent environmental and planned development review adjacent to 1315 SW Broadway Dr (Previous Agenda 968; Report introduced by Mayor Wheeler; LU 18-119056 LDP EN PD) 1 hour requested</p> <p>Motion to deny the appeal and uphold the Hearings Officer’s decision with modification to condition B.1; prepare findings: Moved by Fritz and seconded by Wheeler. (Y-4)</p>	<p>DENY APPEAL AND UPHOLD HEARINGS OFFICER’S DECISION WITH MODIFICATIONS; PREPARE FINDINGS FOR JANUARY 15, 2020 AT 10:45 AM TIME CERTAIN</p>
<p>1103 TIME CERTAIN: 10:45 AM – Grant a ten-year franchise to Verizon Wireless LLC dba Verizon Wireless for wireless communications services in the City (Ordinance introduced by Mayor Wheeler) 20 minutes requested</p>	<p>PASSED TO SECOND READING JANUARY 8, 2020 AT 9:30 AM</p>
<p>1104 TIME CERTAIN: 11:05 AM – Update bicycle parking regulations and amend fee schedule for Land Use Services (Second Reading Agenda 1061; Ordinance introduced by Mayor Wheeler; amend Title 33, Planning and Zoning) 10 minutes requested for items 1104 and 1105 (Y-4)</p>	<p>189784 AS AMENDED</p>
<p>1105 Establish standards for bicycle parking for certain City funded affordable housing projects designed but not yet permitted (Second Reading Agenda 1062; Ordinance introduced by Commissioner Eudaly) (Y-4)</p>	<p>189785</p>
<p>CONSENT AGENDA – NO DISCUSSION</p> <p>Mayor Ted Wheeler</p>	
<p>1106 Proclaim results of the Municipal Non-Partisan Special Election on Measure 26-204: Amends Charter: increases protections for Bull Run Watershed (Proclamation introduced by Mayor Wheeler) (Y-4)</p>	<p>PLACED ON FILE</p>
<p>1107 Proclaim results of the Municipal Non-Partisan Special Election on Measure 26-205: Amends Charter: authorizes City participation in emergency mutual aid agreements (Proclamation introduced by Mayor Wheeler) (Y-4)</p>	<p>PLACED ON FILE</p>
<p>Office of Management and Finance</p>	
<p>1108 Assess property for system development charge contracts, private plumbing loan contracts and safety net loan deferral contracts (Ordinance; Z0840, K0182, T0199, W0069, Z1207, K0183, T0200, Z0841, W0069, P0161, P0162)</p>	<p>PASSED TO SECOND READING DECEMBER 11, 2019 AT 9:30 AM</p>
<p>*1109 Create a new represented classification series of Water Distribution Worker and Water Distribution Worker, Apprentice, and establish interim compensation rates for these classifications (Ordinance)</p>	<p>REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION</p>

Portland Housing Bureau		
1110	Approve and terminate limited tax exemptions for properties under the Homebuyer Opportunity Limited Tax Exemption Program (Resolution) (Y-4)	37461
1111	Terminate limited tax exemptions for properties under the Homebuyer Opportunity Limited Tax Exemption Program (Resolution; amend Resolution No. 37449) (Y-4)	37462
*1112	Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for 1500 SW Taylor located at 911 SW 15th Ave (Ordinance) (Y-4)	189787
Commissioner Chloe Eudaly		
Bureau of Transportation		
*1113	Amend contract for the North Rivergate Overcrossing Project with HDR Engineering, Inc., to allow for additional design and construction engineering services not to exceed \$298,149 (Ordinance; amend Contract No. 30005876) (Y-4)	189780
City Auditor Mary Hull Caballero		
1114	Certify abstract of votes cast, proclaim measures approved at the Municipal Non-Partisan Special Election held in the City of Portland on November 5, 2019 (Report) (Y-4)	ACCEPTED
REGULAR AGENDA		
Mayor Ted Wheeler		
Bureau of Development Services		
1115	Appoint Derek Spears and reappoint Kristen Minor and Matthew Roman to the Portland Historic Landmarks Commission (Report) 20 minutes requested Motion to accept report: Moved by Commissioner Fish and seconded by Commissioner Eudaly. (Y-4)	CONFIRMED
Portland Housing Bureau		
*1116	Amend Affordable Housing Code to establish a Manufactured Dwelling Park Affordable Housing Bonus Density Program (Ordinance; add Code Section 30.01.130) 10 minutes requested (Y-4)	189783
*1117	Amend Joint Office of Homeless Services Intergovernmental Agreement with Multnomah County to authorize FY19-20 revised budget allocation to the Joint Office of Homeless Services (Ordinance; amend Contract No. 30005335) 15 minutes requested (Y-4)	189786

<p>Commissioner Chloe Eudaly</p> <p>Bureau of Transportation</p>		
<p>*1118</p>	<p>Authorize the Bureau of Transportation to acquire certain temporary rights necessary for construction of the Signal Rebuild - SE 52nd Ave and SE Woodstock Blvd project, through the exercise of the City's Eminent Domain Authority (Ordinance) 15 minutes requested</p> <p>(Y-4)</p>	<p>189782</p>
<p>1119</p>	<p>Amend Towing and Disposition of Vehicles Code to clarify when a vehicle may be towed (Ordinance; amend Code section 16.30.210) 15 minutes requested</p>	<p>PASSED TO SECOND READING DECEMBER 11, 2019 AT 9:30 AM</p>
<p>Commissioner Nick Fish</p> <p>Bureau of Environmental Services</p>		
<p>1120</p>	<p>Authorize a competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the NW Thurman St Sewer Reconstruction project No. E10696 for an estimated cost of \$4,680,000 (Ordinance) 10 minutes requested</p>	<p>PASSED TO SECOND READING DECEMBER 11, 2019 AT 9:30 AM</p>
<p>1121</p>	<p>Authorize a competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the Arbor Lodge - Kenton Sewer Rehabilitation Project No. E10978, for an estimated cost of \$5,350,000 (Second Reading Agenda 1095)</p> <p>(Y-4)</p>	<p>189781</p>
<p>Parks & Recreation</p>		
<p>*1122</p>	<p>Authorize bid solicitation and contracting with the lowest responsive and responsible bidder for construction of the Creston Park Play Area Improvements Project (Ordinance)</p> <p>(Y-4)</p>	<p>189788</p>

At 12:00 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 4th **DAY OF DECEMBER, 2019** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fish and Fritz, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Lory Kraut, Senior Deputy City Attorney; and Christopher Alvarez and Tonia Kohlman, Sergeants at Arms.

1123	TIME CERTAIN: 2:00 PM – Direct all City bureaus to transition from gas-powered to electric and/or battery-operated leaf blowers (Resolution introduced by Commissioner Fish) 30 minutes requested (Y-4)	37463
1124	TIME CERTAIN: 3:00 PM – Appoint Elliott Young, Amy Anderson, Marcia Perez, Steve Trujillo and Britton Masback to the Portland Committee on Community-Engaged Policing (Report introduced by Mayor Wheeler) 45 minutes requested Motion to accept report: Moved by Fish and seconded by Eudaly (Y-4)	CONFIRMED

At 3:23 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **5th DAY OF DECEMBER, 2019** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Wheeler, Presiding; Commissioners Eudaly and Fritz, 3.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Robert Taylor, Chief Deputy City Attorney; and Ian Williams and Tonia Kohlman, Sergeants at Arms.

The meeting recessed at 3:15 p.m. and reconvened at 3:30 p.m.
The meeting recessed at 4:05 p.m. and reconvened at 4:07 p.m.

1125	TIME CERTAIN: 2:00 PM – Adopt the <i>Southwest in Motion</i> plan and its recommendations (Previous Agenda 913; Resolution introduced by Commissioner Eudaly) 1 hour requested Motion to accept Substitute Exhibit A: Moved by Eudaly and seconded by Fritz. (Y-3) (Y-3)	37464 AS AMENDED
*1126	TIME CERTAIN: 3:00 PM – Amend Trees In Development Situations Code to extend sunset date for certain tree preservation regulations in development situations on private property (Previous Agenda 1052; Ordinance introduced by Mayor Wheeler; amend Code Chapter 11.50) 30 minutes requested Commissioner Eudaly withdrew her motion from November 13, 2019 to extend sunset date to 2050. Motion to extend the sunset date by 5 years to December 31, 2024: Moved by Wheeler and seconded by Fritz. Vote not called. Motion to add emergency clause because it's in the public interest to get this done as quickly as possible because our planet is on fire: Moved by Fritz and seconded by Eudaly. (Y-3)	CONTINUED TO DECEMBER 12, 2019 AT 5:00 PM TIME CERTAIN AS AMENDED
1127	TIME CERTAIN: 4:00 PM – Amend the Comprehensive Plan, Comprehensive Plan Map, Zoning Map, Title 33-Planning and Zoning, Title 18-Noise Control, Title 30-Affordable Housing, Title 32-Signs and Related Regulations to revise the Multi-Dwelling Residential designations and base zones (Previous Agenda 1085; Ordinance introduced by Mayor Wheeler; amend Code Title 33, 18, 30 and 32) 1 hour requested for items 1127-1128	RESCHEDULED TO DECEMBER 11, 2019 AT 4:45 PM TIME CERTAIN
1128	Adopt the recommendations within the Connected Centers Street Plan (Resolution introduced by Commissioner Eudaly)	RESCHEDULED TO DECEMBER 18, 2019 AT 10:30 AM TIME CERTAIN

At 4:08 p.m., Council adjourned.

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MARY HULL CABALLERO
Auditor of the City of Portland

Karla
Moore-Love



Digitally signed by
Karla Moore-Love
Date: 2020.04.30
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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.**

DECEMBER 4, 2019 9:30 AM

Wheeler: This is the wednesday, december 4, 2019 session of the Portland city council. Karla please call the roll. [roll taken]

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

now we will hear from legal counsel on the rules of order and decorum.

Karen Moynahan, Chief Deputy City Attorney: Good morning, mayor. Welcome to the Portland city council. 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 meeting 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 for the first reading of ordinances.

Wheeler: Mr. Walsh, that is becoming a regular thing where when legal counsel is speaking you do that. I would ask you not to do that in the future, please. It's very disruptive, and it's rude. Sorry, please continue.

Moynahan: You may also sign up for public testimony on 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.

Wheeler: Mr. Walsh, if you continue to do this, you are out of order. We will ask you to leave. We will ask you to leave.

Lightning: Inappropriate.

Wheeler: You do not need to move while legal counsel is reading the rules of order and decorum.

Joe Walsh: Shut up

Lightning: You can't tell him...

Wheeler: I can and I just did. I can, and I just did. Thank you. Karla, first up is communications, can you read that.

Wheeler: This is service week.

Eudaly: The mayor is not singling out someone with a disability, he is being passive aggressive and childish, not the mayor.

Wheeler: Although I can be. I am the mayor of Portland, Oregon, the fifth most passive, aggressive city in the united states, i've been told, yeah, and rising. First up is communications.

Moore-Love: I am not sure if the attorney finished?

Eudaly: I don't think so.

Wheeler: I think we got pretty much as far as we needed to get.

Moynahan: Thank you for helping your fellow Portlanders.

Wheeler: Well done. Communications, and let me see if we have people who would like to come up. It looks like we have three people who would like to come up together, is that correct? The first three?

Moore-Love: I will read them all. 1097.

Item 1097.

Wheeler: Good morning. Welcome to Portland city council.

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Fish: Before we go started, am I correct your daughter got elected to public office last year?

Joe Rossi: Yeah, that's correct.

Fish: And what's her name and where does she serve?

Joe Rossi: Gabriel rossi, the east Multnomah county water district, partition 1.

Fish: How is that going?

Joe Rossi: It's going really good. She's our first elected person in the family so I am excited.

Fish: We will keep some seats up here.

Rossi: Thank you.

Wheeler: Good morning.

Amelia Salvador: Good morning, council. Thank you for having us this morning. I am amelia salvador with the Portland immigrant statue project. We are here this morning to share with all of you and acknowledge the award recipient. Every year we award an award to a worthy candidate. The Portland immigrant statue is a life-sized bronze statue located on northeast 98th avenue and sandy boulevard. The location is ideal, as it is close to the vicinity of the Portland airport and really is a welcoming landmark to people, newcomers, and that come to Portland and visitors, so this year, we collaborated with newly awarded, nonprofit, the immigrant statue, and it was a great fit for us to work with them and sankar because we share the same vision and mission of immigrants coming to Portland, so I was really excited to work with sankar to identify a couple of candidates. I will pass the mic to sankar.

Item 1098.

Sankar Raman: Thank you. Thank you, my name is sankar, I am from the immigrant story. Members of the Portland city council, mayor wheeler, and the residents of the great city of Portland, as for everyone looking to make a new life i, too, arrived in Portland to work in the great state of the art technology company intel. Just like any other immigrant, I worked hard. I wanted to make this industry is the best of the best in the world. I whether I have had here for a long time now. Long enough to have seen the good and the bad. I have mourned the death of loved ones, I got married, I even got my son graduated from high school, and I have had many rights of passage. Yes, this is my home now, and I am not going anywhere. -- prior to the 2016 election I never felt the reason to talk about myself, but the recent political climate changed all that, when the targeted immigrants for political gains, when the rhetoric inspired actual dormant policies, when the [inaudible] began to embolden people to go to places of worship with a gun and shoot and kill, I needed to do something. I cannot just sit by and watch this go by, so I started to tell the stories of immigrants and refugees. The goal, to create empathy so that eventually we could, perhaps, create a community of inclusion, one in which we recognize we all share a common humanity. We believe that the stories can bring our community together. We also believe in creating conversations that are important. We do this by bringing our stories to public spaces in order to ensure that we can demonstrate how deeply we care about this core value, the diversity of our citizens. That's why I wanted to thank you for hosting this public display at the center of our community. When you shared the stories, you changed the country. During the holiday season, if you want to give, please think about the organizations like the immigrant story. Support this. There are many, and they do a tremendous and important work bringing attention to the issues. If you are in need of a new year's resolution, think about your neighbors and become a wise for those who do not have one, if you are in that position, pledge to as a value and not some goal or numbers to meet. It is reflected in the author this is how change happens. One gesture, one person, one moment at a time. Thank you very much. And please keep Portland diverse and welcoming.

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Wheeler: Thank you, sir. We appreciate it.

Item 1099.

Rossi: I would like to introduce myself. Joe Rossi, I am the co-director of the Portland immigrant statue along with Amelia Salvador. I appreciate Sankar had a collaboration with us, the immigrant story and the Portland immigrant statue. We are here to honor one person today out of the hundreds that would certainly qualify for this award. We have a visible statue to welcome the international visitors to the Portland airport and the community. It was hosted under the 100-year anniversary of Parkrose, and every year we would like to select a person that epitomizes the award, and the award is really men to say thank you to a member of the community who comes to this country, and loves his country of origin, and continues celebrating it, and equally loves America, and its opportunities, and it becomes a bridge and, and a role model for people coming to this country, and for us as people who are here, tirelessly working physically that helps the other people. So I would like to ask permission of the mayor and city council that when I recognize this person, he's able to stand up and approach the table to receive his award.

Wheeler: Without objection.

Rossi: Thank you. While I would like to announce that the 2019 Portland immigrant statue award recipient is Dr. Bahar Budi.

Wheeler: We will suspend the rules. Thank you. [applause]

Wheeler: Congratulations.

Fish: Before you leave, would you please give a copy of your testimony to Karla? I think a number of us would like to get a copy of it. It was not only timed to perfection, but it was a beautiful statement of principle, and if you would not mind sharing that with us, Karla will make sure that we get a copy.

Rossi: Just want to say thank you again.

Wheeler: You bet. Appreciate it. Thank you, sir. [applause] Next up, Karla, it looks like 1100 and 1101 would probably like to come up together.

Moore-Love: Okay.

Items 1100 and 1101.

Wheeler: Thanks for being here.

Jan Campbell: Thank you. It's great seeing some of the commissioners that I used to work with, so thank you for inviting us. My name is Jan Campbell. I reside at the Douglas, which is the apartment house in this area designated to be torn down. I have been living there for 20 years, and it is my home as well as others that live there. How many of you have been displaced because of urban renewal? It is terrible because this is our home and our neighborhood, also it makes it more difficult when you have disabilities and need accessible housing. As most of you know I was a disability project coordinator for the city of Portland, Multnomah county, for many years. One of my responsibilities was to work with architects in getting permits when it was regarding accessible. I worked on this apartment complex to ensure its access. That is why I moved into it because of the affordability along with the location and access of the public transit. People like myself don't have options that others may have. I need to be near services, public transportation, sidewalks, and I can go on and on. My unit needs to be large enough to accommodate my wheelchair and specific needs due to the disability, and that is hard to find. Individual apartments only have a few accessible units in their total, and many of these are old ones that are not accessible and the new ones are too expensive. Because I do not meet the criteria of low income or affordable housing, I fall into the market rate units that can only be costly, and still not meet my needs. I am not the only one that faces these obstacles. I work on the ADCRC for Multnomah county. Every day we get people calling who are medium income and cannot afford a place to go or need accessible housing. It replaces the neighborhood. We have shops, restaurants, is a variety of housing and many people living

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there. Some people living in the douglas have lived there since it was built. Some of these individuals are individuals who are disabled and older adults. In recent years they have done major remodels of these units. Accessible and moderate income is difficult to find and can take months to find one that meets my individual and other individual needs. I really don't expect you to understand how difficult it is. You need to experience it. I get it. Let me give you an example. As some of you know I worked here with vera katz when she was the mayor. After she retired she became frail, and I saw her many times on the streetcar. She would say jan, I understand why you add advocated so tirelessly because I now need these accessible features. She got it. She lived it. I hope that you understand that displaying people from their homes and neighborhoods can leave them without housing that does not accommodate their needs in order for them to live independently. We have now have a area of low income and affordable housing built on the land not developed in that area, and this is good. No one was displaced. So please when you make your decision you realize how many people you are impacting and changing their lives. Even people who live in the condos, change the makeup and character of the neighborhood, some could feel a reduced sense of belonging or feeling out of place in the home they own. There have been studies on highrises and how it affects mental health issues.

Fish: Can I propose the speaker get an extra 30 seconds?

Wheeler: You bet. Continue, please. I just had one other thing to say, and I gave you a longer testimony because we had to cut it, but I am not advocating against development, but I am advocating against displacement. Thank you very much, and it's been great seeing you all again.

Wheeler: Thank you for being here. We appreciate t. [applause] good morning.

Wendy Rahm: I am wendy rahm, as the land use chair I am speaking on behalf of the downtown neighborhood association to raise concerns about the riverplace development proposal and especially the rental properties known as the douglas apartments. This rental apartment complex has nearly 300 units built in the 1980s and 1990s. Many three to four-bedroom units suitable for families and it includes units especially designed to be ada. Most importantly, it is a neighborhood of rental units in the missing middle affordable housing category, crucial for the city and most especially for the central city. Today it is a lovely, thriving neighborhood. And a little history, the last time that we destroyed an entire neighborhood was in the 1950s and 1960s. You recall albina being replaced by the coliseum and the thriving italian jewish neighborhood demolished to create the south auditorium. After the italian jewish neighborhood was lost, history tells us great shame ensued, and was talked about for years. I learned about it in a psu class just a few years ago, so the shame endures. The next threat came in the 1970s when existing neighborhoods on the east side were threatened with demolition as a result of a robert moses inspired freeway plan. That demolition was stopped thanks to public protest and a humane city council. Since then, we have master planned only industrial sites, large parking lots or undeveloped properties, but no existing neighborhoods until now. This threat to an existing neighborhood, the douglas apartments, is the result of a last-second central city 2035 spot upzoning of the eight-acre riverplace site approved by city council. I believe that city council sold a bill of goods when you were convinced to vote on this. I want to thank, to think that you did not fully realize the human cost involved at that time. There are many other serious problems with hyperdevelopment in this isolated island waterfront site, including major transportation hurdles with the tripled population, but loss of this valuable rental housing and the displacement of so many people is the most serious of all. The design commission cannot address demolition of an existing neighborhood since it does not fit any of their criteria, approval criteria. Therefore, we come to you today, a small part of the sited could be demolished for development, but I sincerely hope that

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you can revisit your broad brush decision to upzone and do whatever you can to save the douglas apartments. Thank you for letting me speak.

Wheeler: Thank you. Thanks to both of you. Appreciate it. [applause]

Campbell: Thank you, commissioners for recognizing me to have more time.

Wheeler: Thank you. That concludes communications. Next is the consent agenda. My understanding is 1109 has been returned to commissioner Fritz's office. Has anything else been pulled.

Moore-Love: Yes. We have had 1112 request to be pulled.

Wheeler: Who requested that?

Moore-Love: Lightning.

Wheeler: Very good. Please call the roll on the remainder of the consent agenda.

Eudaly: Aye.

Fritz: Want to note that the passage of ballot measure 204 and 205 are on the consent agenda as proclamations. I want to thank the people of Portland for once again supporting the ballot measures that protect the bull run watershed and allow the water bureau to operate efficiently. Aye.

Fish: Commissioner Fritz would you remind us of the tally?

Fritz: It remains the same, 89 for the bull run protection and 85% for mutual aid.

Fish: Congratulations, aye.

Wheeler: Aye. The consent agenda is adopted. Next item, regular agenda -- well, let's see, sorry, hang on. Next item is going to be time certain item number 1102.

Item 1102

Moore-Love: Appeal of the Southwest Hills Residential League against the Hearings Officer's decision to approve, with conditions, a one-lot partition with concurrent environmental and planned development review adjacent to 1315 SW Broadway Drive, LU18-119056 LDP EN PD.

Wheeler: Colleagues, the last time we heard this matter, council heard from all parties including the appellant's rebuttal. The oral record was closed and the written record was held open until today at 9:45:00 a.m. We're back to deliberate this item. And if there is no further discussion, I will accept a motion and a second for a tentative decision.

Fritz: Mayor, I need to declare that since the hearing, I have visited the site and walked on both sides of the street on a dark and stormy afternoon. And so with that, I am very sympathetic to the neighbor's concerns. However, I don't think that there's a better solution than the somewhat imperfect solution that the staff has come up with, and therefore, I move to deny the appeal and uphold the hearings officer's decision.

Wheeler: Very good. The motion has been made. Is there a second? I will second it. Any further discussion?

Fish: I would like to have a little discussion about this.

Wheeler: Commissioner Fish.

Fish: Well, I would like to hear my colleagues.

Eudaly: Uh –

Linly Rees, Chief Deputy City Attorney: So, may, so may I, I'm going to, sorry. It always feels like the wizard of oz from behind the curtain over here. I want to make sure that council recognizes before there is a vote that there needs to be a minor change to the condition related to transportation, if this is the motion that you end up voting on. The exhibits that were referenced in the hearings officer's decision were changed as a result of a public works process, and so we would have staff from bds essentially replace two words so that instead of referring to exhibit H42C, it would refer to the exhibits that are in the public works, and this was discussed at the last hearing because the H42C is gravel, and as result of the public works it was updated to asphalt on the south side, and I am sorry that took so long to say but --

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Wheeler: I would like to take a one-minute recess. [recess taken]

At 9:56 a.m., council recessed.

At 9:57 a.m, council reconvened.

Wheeler: Would you clarify again the motion is to deny the appeal --

Fritz: And uphold the --

Rees: Uphold the hearings officer's --

Wheeler: And uphold the hearings officer, but I am not sure, so which of the exhibits are you suggesting needs to be changed and why?

Rees: So I am going to -- staff had actually prepared a brief summary of it. If council decides to deny the appeal and uphold the hearings officer's decision to approve the application with conditions, the following hearings officer condition, B1, should be modified to reflect the concept public works approval, which is the paved rather than gravel on the south side. So the wording would -- I think, Shawn, would you hand this to -- I want to make sure -- we may need to make some additional copies for -- how many do you have?

Wheeler: I've got about another four.

Rees: Four, and then I am going to give copies to the two attorneys on either side.

Fritz: Well, you could just read them because we're not going to --

Rees: It's really simple, a simple change but just I want to make sure everybody sees it.

Wheeler: Okay, and just for my benefit then, Commissioner Fritz, could you state again your motion?

Fritz: So I move to deny the appeal and uphold the hearings officer's decision with the amendment condition as specified by the city attorney.

Wheeler: And these, this is the amended condition?

Fritz: Yes.

Wheeler: Very good.

Fritz: And there was the discussion that because --

Wheeler: Yeah, okay.

Fritz: And that was actually part of why I moved away from trying to do a big retaining wall and putting -- ideally, you --

Wheeler: Ah, okay, right.

Fritz: You would want the pedestrian improvements on the same side but because they may be able to shift the lanes, and because there seems to be, on either side there isn't a particularly good way to stay on one side. I crossed, I think, two or three times, but I do think with the paved on the opposite side, that that gives more opportunity for a safe pedestrian-way, and frankly, I'd rather be walking facing speeding traffic coming downhill.

Wheeler: Good.

Fritz: Although, I suppose one way or the other, you're going to be walking against, with your back to it.

Wheeler: Okay and so this is modifying the condition B1.

Fritz: Yes.

Wheeler: To reflect the concept public works approval -- got it. Okay. Good.

Fish: So Mayor, since we are in the conversation phase --

Wheeler: Yeah, thank you.

Fish: I would benefit from hearing from the pboc commissioner.

Eudaly: Well, I, I mean I feel similar, similarly to Commissioner Fritz. It's, it's not ideal, but it is a particularly challenging kind of terrain we're dealing with, and there doesn't seem to be a solution that would be reasonable to impose on the developer. As with most of these hearings, it, it seems like we can never get to really the perfect solution, so I'm prepared to support the motion.

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Fritz: Thank you, and I think another factor is that there are more homes on the side that will then have the pedestrian amenity. There will not be homes directly fronting on the street from the Tangent Village. They'll be going a different way, so this will be just for the pedestrians, so it really makes more sense to have where people are coming out of their homes to have a connected pathway rather than having them cross the street. Did you have a different thought, Commissioner?

Fish: No, no. I'm sincerely interested in my colleagues' views on this. I think land use hearings are one of the few areas where we end up having conversations among colleagues up here in the company of concerned residents where we ventilate the issues, and I wish all of our processes, actually, had a mechanism to do that. Whether people agree or disagree, I think sharing our concerns and our values is important. This has been a very complicated issue that I tried to get my arms around, but I am grateful for the guidance that you both are offering. Mayor, do you have anything to offer?

Wheeler: I have something else to offer, too, and it was the discussion we had around proportionality was highly concerning to me, as well. Legal counsel made a good case that upon appeal, and this would be appealed, I believe, to the land use board of appeals -- is that correct, legal counsel? That they weigh something called proportionality. In other words, is the additional cost that we are -- or the additional conditions that we would be attaching to a particular parcel proportional to the impact caused by that parcel? And my recollection from our discussions, we're talking about, I think, was 20 units, or approximately 20 units, and the added cost, while it is a subject of great contention in terms of what the cost would be, we heard estimates in the range of 750'ish thousand dollars plus. And proportionality is one of those issues where LUBA listens very intently, and the concern that legal counsel expressed and the concern that the bureau expressed was that there is a high likelihood that our decision would be both appealed and overturned based on the proportionality principle, so that's something that's also weighed on my mind in addition to the issues that Commissioners Fritz and Eudaly have raised.

Eudaly: Yeah, I mean, I can get a little more technical on the pbot side. We used a court recognized formula for determining what kind of road improvements are appropriate, and in this case, the formula did not add up to this as being roughly approximate improvement, which is why it was denied by the hearings officer, and although I do think the neighborhood association is justified in their desire to have major road improvements done, as I said before, this is really challenging terrain. These would not be considered roughly approximate improvements. It would likely go to LUBA lawsuit, and we would very likely lose. So, it just really doesn't seem like there's any way, any other way forward.

Fish: Thank you.

Fritz: And I would just add that I am generally wanting to have the improvements on the adjacent -- on the property, and that even if it's a little beyond what the formula might say, that, in general, is the principle, is that the frontage adjacent to your property gets improved no matter where the homes are, and it's just in this case, it didn't seem feasible to me.

Fish: So we're --

Eudaly: Second the motion.

Fish: Taking a tentative vote now?

Wheeler: Yeah, and I just want to mention for the record I did receive an email from Ken Guenther prior to the closing of the written record. I do not think it's appropriate for me to read it aloud as has been requested but I will enter it into the record. Very good. Karla, please call the roll, and again, this is a tentative vote.

Eudaly: Aye.

Fritz: Well, thanks to everybody who participated. This was a really constructive and principled debate, and for me a really close call that as I say, you would normally want the

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improvements to benefit the property -- the people who would be living in the development, and in this case, I think that having the -- the road crossing based on the twistiness of the road and just where the current parking and ditches, etc., are, I think that staff has worked to come up with a reasonable solution, although certainly not a perfect one, and I acknowledge that I know many of the neighbors will be disappointed. Aye.

Fish: Aye.

Wheeler: Aye. [gavel pounded] The motion passes. Thank you, Karla. Then can you please roll over the council's tentative decision for an adoption of findings and a final vote at a later date.

Moore-Love: Okay, are we thinking two weeks out? Or further?

Wheeler: Um --

Rees: I suspect this one may need longer. We're going, because the applicant's attorney will need to prepare findings and our office will need to review them, so I am guessing January.

Wheeler: And we are pushing up against the holidays.

Rees: Unless there's --

Moore-Love: January? Does the 8th of January work? That's the first, first Wednesday.

Rees: How about, how about a week after that, if we can get that.

Moore-Love: Okay. It would be 10:45 on January 15th, the Wednesday.

Rees: Chris, does that work for you? Yes, that works.

Moore-Love: Okay.

Rees: So --

Moore-Love: January 15th at 10:45:00 a.m., time certain.

Wheeler: All right. So we have an adoption of findings and a final vote scheduled for January 15th, 10:45:00 a.m., time certain, Portland city council. And would city attorney please provide council any guidance on next steps beyond that?

Rees: No, we will make sure that the findings are provided to Karla by Monday or Tuesday before adoption of findings but we will work with the applicant's attorney to get those reviewed and to you in time.

Wheeler: Great. Thank you. Thank you, everyone. Next item, 1103.

Fish: That's a 10:45, mayor.

Wheeler: Correct.

Fish: For some reason this was noted for an hour so it will throw the whole schedule off.

Wheeler: You are right, sorry, thank you. It will. To the regular agenda, please. 1115.

Item 1115.

Wheeler: The Portland historic landmarks commission is a seven-member volunteer commission which provides leadership and expertise on maintaining and enhancing the city's historic and architectural heritage. The Portland historic landmarks commission reviews new development within historic districts, major alterations to historic resources. Numbers must have a demonstrated interest, competence, or knowledge of the historic reservation. The appointment of Derek Spears fills a vacancy on the commission with an individual committed to insuring that the city's goals of historic preservation serves all of its people. Particularly, those immunities who have not had their stories adequately told. The re-appointments as Kristen and Matthew continue their service that they have over the past four years, thank you for your willingness to serve on the Portland historic landmarks commission, and I look forward to your guidance as a commissioner. So I believe that we have Hilary Adam present? Yes?

Fritz: She probably wasn't expecting this.

Fish: I don't think most were expecting to come here until noon.

Wheeler: We will have to take a recess, we are in recess.

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Fish: Let's take a five-minute recess and see whether we can pull some stuff up. I may be able to get bes to come so let's take a five minute recess.

Wheeler: Good, five-minute recess. [recess taken] we will start with 1119, Karla.

Item 1119.

Wheeler: Commissioner eudaly.

Eudaly: We brought some props.

Wheeler: Look at that.

Eudaly: Sorry. I didn't notice that we were back in session. Oh, my, look at that. Okay. Thank you, mayor. This is -- no, I am on the wrong item, what item?

Wheeler: 1119.

Eudaly: This clarifies an existing practice around reserving on-street parking in a metered district that will make it clear when a parking reservation takes effect and when parking enforcement can order a tow to enforce a temporary street use permit. Here to provide details and answer questions is parking enforcement supervisor donald hunter.

Donald Hunter, Parking Enforcement Supervisor, Bureau of Transportation: Yes.

Eudaly: As well as mike. Welcome both of you.

Mike Crebs, Parking Manager, Bureau of Transportation: You bet.

Eudaly: Take it away.

Crebs: I will go ahead and present. So, the way it works, so --

Eudaly: Put your full name on the record.

Crebs: Mike krebs, parking manager of pbot.

Hunter: Donald hunter, parking enforcement supervisor of pbot.

Crebs: Thank you, sorry about that. So what happens, when you have a construction thing going on at your business and you want to rent the space on the right-of-way in front of your business, to put some pods or some, some construction vehicles or something like that, you pay the city \$70. You pay them \$70 for each space, and then what happens is the parking enforcement officers go out and place signs up, temporary, and each, each metered space downtown has a little metal plate by it, and this plate on the bottom has a magnet, and it sticks to the plate, and we set those up, if there is not a metal plate in place, we go ahead and put on the plastic cover on the signs that lets you know that parking is temporarily prohibited in this area for whatever the designation is so the date, the time, the delineators or signs, and the next day we can tow the following day once it is in place and verified, and what happens is you bring in your notices, a car parked there, and you call up the parking enforcement, they come out, and we take pictures and make sure it is still there and make sure that the car does not have permission to be there, and we tow the vehicle. Once it is to do the owner has the right to appeal before the hearings officer. Up until two years ago the hearings office was finding in our favor under the current title 16 code, but two years ago the office took a different interpretation than in the past. What we are asking today is to change that to make sure we do not have to verify the signs every day. The current hearings officer believes the code states that every day we have to go out and make sure that the signs are erected properly. There is 700, or 800 signs out there which would require us to go out and verify daily every single sign. We don't have the capacity to do that. So in the code change we are requesting is that once it is up, no further verification is necessary. We believe that's a good thing because we verify it and put it up. We verify it again where we get the call to actually make the tow from the space. We set it up, get called and confirm it is there and make the tow.

Fish: I want to be clear, if we support this ordinance, there would be an additional check prior to towing to make sure?

Crebs: Yes. So you call us.

Fish: That's the safeguard for the member of the public?

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Crebs: Correct. We will come out, verify it, we will say yes, it is erected properly, take a picture of that sign, in conjunction with the car that's parked in there, so you can take a picture and the car is parked in front of the sign, so we confirm it when we get call out. We will not tow it, if it is not properly there or not there at all. We would not tow the vehicle, or it would be at our expense and not of the owner's expense. It is a business agreement. People hired us, or actually, they purchased a service from the city, I would like to rent this space, you know, city of Portland for \$70 a day, and we will rent it to you and make sure it's cleared out so you can conduct your business. So, we think it's good for us to uphold our bargain. You paid \$70 a day and you expect that to be there to put your pod or trash cans or your dumpsters or whatever that may be or your equipment. So this is, this has been going on for decades. Donald can vouch for that. It has been going on for decades, but what recently caused it to come to our forefront was the hearings officer interpreted it as we had to verify the signs every single day. In the code we are asking it does not have to be verified once in place, the original time, until we go back and see us parked improperly.

Eudaly: Mayor? I will just say that I am not a fan of having to tow cars because it's a stressful experience. It's a hassle, it's an expense for the owner but we have to be able to allow people to do the work that needs to be done, and we have to occasionally tow cars, and as Mike mentioned, the car owners have an opportunity to appeal if they feel that it wasn't properly noticed. If we have to go back every day and check 800 signs, the cost, I imagine, would have to go way up because we can't provide that service for free, and it's really not a good use of our time.

Fritz: So I support what's on the table here. I am just wondering with the parking and the various other ways that people can use their phones to pay for their parking in the future, you might look at, could we just call the person who parked the car and tell them to move it within, you know, 15 minutes or it will be towed?

Eudaly: I was wondering that, as well. You cannot just stand on the street and holler, whose car is this.

Fritz: But with technology, we know who they are, and we can call them and that way we get the same result without them -- it's just something to look into.

Crebs: That might make sense. I don't know how feasible but it might be faster than a tow in some cases, so it's something that we could explore. The last thing that I want to do is tow someone's car. Some of these folks are in a hurry, don't see the sign. So, it's, it's not -- we take towing very seriously. This is the last thing that we want to do but there are times when hey, I have got a construction -- I have got a cement truck here and someone is in my spot and I have got to pour cement. We do, do that.

Fish: Mayor, if I may, and this is slightly off topic but since you are here, I wanted to make sure that I understood this. So, from time to time when I am walking around the city, I see a situation where there is construction going on, and the developer, or the contractor has moved the fence onto the road, and usually it results in blocking the bike lane. But, physically it intrudes onto the street, which seems to me different than what we are talking about today. But what is the law with respect to that piece?

Crebs: Yeah, that would not be in our -- that's issued by, I think, bds and those folks, and the permit center. I don't know for sure, sir. I don't have an answer because that does not normally involve the parking enforcement.

Fish: But it is interesting. It's one thing to say we're renting you the parking specialty, in which case you can put, you know, whatever you want in that spot and have access to it. It's entirely another thing to move the fence and block off a sidewalk, a bike lane or intrude into the roadway, and at some point, I would appreciate clarification as to what our ground rules are in that area.

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Crebs: What I can do, I can contact the folks that approved those kinds of things, and I can have them get back with you and your staff.

Fish: Inadvertently create a lot of --

Eudaly: I thank you for that. I purchased a couch from an individual last week who had a broken jaw and broken wrist because he was driving west on rosa parks. There was a utility sign, one of the big kind of, you know, vinyl orange signs in the bike lane. He swerved around it and hit some wet leaves and wiped out, and so it's a real danger. A lot of road users use our bike lane as a storage space, and it needs to -- it needs to stop. That is a permitting issue when there is construction and a parking issue, so I am following -- I found out the date, time, location of that accident, and I am going to be following up to figure out who had that permit.

Fish: When appropriate, I would appreciate an update on that just to better understand what our rules are and how they are being violated.

Crebs: Okay.

Eudaly: I am happy to do that. All right, so mr. Hunter, did you have anything to add or is that it?

Hunter: I don't have anything to add. I think mike covered it pretty well.

Eudaly: Okay.

Wheeler: Very good. Thank you, gentlemen. Is there any public testimony on this item, Karla?

Moore-Love: Yes, we have three people.

Wheeler: All right steven entwisle charles.

Charles Bridgecrane Johnson: Good morning, charles bridgecrane johnson and I wanted to thank you for this well arranged, assertive, not aggressive conversation. One thing that's unfortunate, commissioner eudaly has stepped out because when we talk about any kind of funds related to parking, more and more people are getting confused, I think, about what city money -- how does money get into the tri-met system where there is so much more recently public concern about fair enforcement, and so possibly one of you will be curious enough to ask when the \$70 is collected to rent these spaces, where does that money go and how does it get used. Although I was glad for the scope of the conversation, the fact that we got into bicyclists and pedestrian safety, I do think that the other issue that kind of should be touched on, I think, when he was first presented the idea of taking out the little pole attaching it to the magnet sounds like 70 covers the cost recovery but maybe that should be addressed in a more diligent way to actually talk about what the estimated average expense of dispatching is because it's going to change. If you send somebody out, and it's a place that they have one parking space that they are securing for a pod, \$70 still probably covers it. If it's a whole block of places, then we're kind of getting -- somebody could make the argument, personally, that we're getting too much money if we are covering a long string of parking spaces. So I don't know if anybody else will want to have that addressed. There it is. Thanks very much.

Wheeler: Thank you. Good morning.

Maggie: Okay. So my question would be yeah, how much money do you get from the parking meters and where does that money go? That's an excellent question that I am sure that all citizens of Portland would like to know. Then the other thing I would say is I am looking for the day when there are just places to park on the periphery of Portland, and then people just get around with a scooter or you know, some other electric form of transportation, and it's just bikes and scooters around you know, say a mile or two area. When you are talking about aging and disabled people, you know, you can use those neighborhood electric vehicles that can be adapted for disabled use. So, yeah. Does that complete the public testimony?

Moore-Love: Yes, that's all who signed up.

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Wheeler: This is a first reading of a non-emergency ordinance, moves to a second reading.

Fish: May I propose we take up 1121? It's a second reading.

Wheeler: We have staff for several others. Karla? Second reading.

Fish: Come on up.

Item 1121.

Wheeler: This is a second reading, we have heard the presentation and taken testimony. Is there any further discussion? Seeing none, please call the roll.

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

Wheeler: Aye. [gavel pounded] the ordinance is adopted. And joe, you are here on --

Wheeler: Read 1120, please.

Item 1120.

Fish: I have brief introductory remarks, and you have a power point, right?

Joe Dvorak, Bureau Environmental Services: We do.

Fish: Do you need Karla's help with that?

Dvorak: We do.

Fish: So Karla, if you could help them to set up the power point, I will do the opening comments. Colleagues, this project will allow the bureau of environmental services to replace undersized pipes in northwest Portland. The project will protect public health, properties, and the environment. It will reduce the risk of sewer backups to 31 properties, and street flooding risk at 16 locations. A few background notes, this projects is in the willamette heights neighborhood. There have been six reported basement sewer backups in the project since 2008. We will get into the other details in a second. Here today to give us a brief presentation is joe dvorak, design services division manager, and julia sheets, project manager, both of whom work for the bureau of environmental services. Welcome and thank you for rearranging your schedules to accommodate council this morning.

Dvorak: You are welcome. Good morning, mayor and members of the board of council. We have a short presentation and here to answer any questions you may have. I will turn it over to julia sheets at this point.

Julia Sheets, Bureau of Environmental Services: Thank you. For the record, I am julia sheets. The project manager on the northwest thurman street reconstruction project. Thank you, mr. Mayor and commissioners for having us, and thank you for keeping us on our toes. The project, as commissioner Fish said, is located in northwest Portland in the willamette heights neighborhood. The purpose of the project is to increase the capacity. As commissioner Fish stated there were six basement backups since 2008 and the city, actually, received complaints about the basement sewer backups four years ago in the neighborhood. This project directly addresses those complaints, and upsizing the sewer will resolve the risk of backups at 31 properties throughout the neighborhood as well as risk a street flooding at 16 locations. The project will construct, replace, or rehabilitate approximately 4,800 linear feet of sewer main line, using open trench and -- trenchless construction methods, and in some areas it will be upsized from 10 to 20 inches in diameter, so a significant upsize. The project will improve access for future maintenance due to some abandonment work we are doing under the bridge. Additionally, bes is partnering with the bureau of transportation to construct nine curb ramps which will improve ada accessibility in the neighborhood. There is several challenges on this project. One of which includes historical landslides that have occurred within the project area, most recently in 2017. The photograph here is from a landslide that occurred in 1950. The paragraph illustrates the second challenge that we have on the project, which involves a trolley that used to run up northwest thurman street that has since been abandoned, and the tracks have been paved over. So that results in the project having to remove over 2,000 linear feet of buried trolley tracks. An additional challenge of the project is traffic

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control. Due to the curved streets of the neighborhood and narrow lanes, as well as the tri-met bus line that runs up northwest thurman street. Additionally, there is high traffic on northwest thurman street due to the leaf erickson entrance to forest park at the top of the street on the west end. Working around the bridge may prove challenging due to the foundations of the bridge which are over 100 years old. This project has included measures to address all of these challenges proactively, including advanced coordination with tri-met, vibration and settlement monitoring and a stipulation for part of the work to be constructed during the dry season, which we are defining as june through november public involvement for this project includes community outreach staff having been involved with the community in the neighborhood since project design began. The outreach staff has been involved with the property owners and tenants, impacted neighborhood associations, and tri-met, and other city bureaus and other community partners. Public information has been provided to the community in the form of mailed notices, e-mailed updates, and next door posts, the project web page, and the phone hotline and the site visits. The engineers' estimate for this project is approximately 4.68 million, and a level of confidence in this estimate is high. We anticipate construction beginning in june of next year, 2020, and we do, as I mentioned earlier, we have the driest season construction windows. We are going to need two of those to complete the project therefore, we anticipate construction lasting approximately 530 days or about a year and a half. That's all that I have. Thank you again for your time, and we welcome any questions.

Fish: Keep that photo up, will you, for a second? I love these old photographs. I guess that's how we used to do the sewer construction. And dig it. It's hard work. Thank you, julia and joe, as usual, for an outstanding presentation. Colleagues, questions? We do acknowledge this will be disruptive. There is a main access point to forest park along thurman, but the community -- the folks who live in that area have been advocating for this work for some time, and we're pleased that we are finally able to move forward, and make these changes. Thank you both very much.

Dvorak: Thank you.

Wheeler: Thanks a lot. Is there any public testimony on this item?

Moore-Love: We have three people.

Eudaly: Once again, I am just very pleased to see the bureau is working to go to kind of minimize the impact to the neighborhood and deliver more benefit with the pbot.

Fish: The enhanced collaboration between pbot and bes, is a great story. In projects ranging from northwest to southwest to the other side of the river, and we are particularly please that we will be able to add the curb cuts to bring the sidewalks up to ada standards while we are doing this. So, thank you for that partnership.

Eudaly: Thank you.

Wheeler: You are welcome to go. Thank you very much, both of you. Good morning.

Charles Bridgecrane Johnson: Good morning, commissioners. Charles bridgecrane johnson. Thanks, you all, and leaf erickson, I guess. It's interesting that we have designated that leaf erickson entrance, I can't remember if there is a drive up there or not, but his impact on the people living there was like zero and the rest of us white folks that came by, carry a bit more responsibility, and I hope -- it's been a while since I entered forest park, but it would be interesting to see how much we have that really recognizes the crimes that occurred for us to have control of this land. One thing that was interesting when we talk about the impact on this neighborhood was to look back to last week, item 1095, which was the portsmouth, arbor lodge, kenton rehabilitation. When we documented that, when that was documented and presented to council, there was interesting demographics that were analyzed and talked about who was living in the neighborhood and how things were working, and for this particular neighborhood, we decided not to give that the same level of attention am there is all kinds of speculative reasons why that might

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be, but the project sounds, is soundly researched. I don't know if there should be a little caveat like if the bridge calls down how much does that change the estimate for the project, but I have faith that the seismic and settlement monitoring, that's unlikely to happen, and these people will be able to keep the poop out of their basements in the future. So I look forward to you voting in favor of this. Thank you.

Wheeler: Good morning.

Maggie: Okay, yes, go forward.

Wheeler: Appreciate it. Any further discussion?

Fish: Just again want to thank our presenters for their super work, and we will be back on a regular basis with a lot of projects throughout the city, and we are hitting our stride, and we thank the council for the full support of our work and thank you if pulling all this together.

Wheeler: Thank you. This is a first reading of a non-emergency item, moves to second reading. Commissioner eudaly, this is yours, 1118.

Item 1118.

Wheeler: Commissioner eudaly.

Eudaly: Thank you, mayor. This is a signal rebuild project to facilitate left-hand vehicle turning from southeast woodstock boulevard onto southeast 52nd avenue. It has pedestrian crossing improvements, striping and signage improvements and traffic signals. I know that eminent domain is a trigger word, and I want to assure you this is an extremely small area that will be temporarily -- we'll be temporarily working, in and as far as I know we received no remonstrances, so here to provide details is pbot right-of-way agent allen kilmer. Welcome.

Ellen Kilmer, Bureau of Transportation: Good morning, mayor and commissioners, as commissioner eudaly said, I am with the right of the way commission with pbot, and thank you for the introduction. As you said, agenda item 1118 would authorize eminent domain authority and allow us to offer just compensation for property rights needed in connection with this project. The signal rebuild at southeast 52nd and woodstock. The property rights in question would support the reconstruction of the sidewalk, particularly the ada ramp as well as signal improvements at the intersection. I would also like to mention that I have made contact with the one property owner is affected, and they have declined attending today. I am happy to address any questions that council may have.

Wheeler: Not at this time. Thank you. Thanks for being here. Is there any public testimony on this item, Karla?

Moore-Love: I believe that he left. Steven entwisle?

Wheeler: He's gone. Very good. Any further discussion?

Fritz: Thank you for a thorough presentation addressing my concerns.

Wheeler: Thank you. Karla, please call the roll.

Eudaly: Thank you, ellen. I vote aye.

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

Wheeler: Aye. The ordinance is adopted. 1116, Portland housing bureau.

Item 1116.

Wheeler: Colleagues, when council approved code changes to establish new zoning for residential manufactured dwelling parks, the changes included an option for park owners to pursue a density bonus. It is available for half the dwelling units have restricted affordability levels no more than 60% of median income. The housing bureau is here before us to establish a new section of title 30, the affordable housing code section, in order to implement the density bonus program. Welcome.

Dory Van Bockel, Bureau of Housing: Good morning, mayor wheeler, commissioners. My name is doory vanbuckle, a energy of the development incentives team at the Portland housing bureau. And here to talk to you about implementation of new code for this new

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bonus program that was put into place into the city code last year. So what exactly is the mdp program? It's the manufactured dwelling park affordable housing density program, we are referring to as the mdp program, and as mayor wheeler mentioned, this was implemented into the zoning code and allows for a density bonus in exchange for affordable housing. With the goal of preserving the lower housing cost options that are provided for within manufactured dwelling parks across the city. The density bonus is voluntary, the allowance for property owners to either maintain an increase of the density on the site or to transfer that density elsewhere. To another site, and that's something that we will partner with the development, the bureau of development services in implementation. To qualify for the density bonus, mdp, manufactured dwelling park, would need to restrict 50% of the dwelling units within the park, and those households would need to earn no more than 60% of area median income. We are proposing a period of 99 years, and a requirement for annual certification of tenant incomes and rents as the bureau otherwise requires of other projects within our portfolio. The process and time line to date for moving this implementation into effect, the council approved the zoning code previously. We have had a presentation to the housing advisory commission, a couple of different times, and have received stakeholder feedback through a couple of meetings with the property owners across the city of the manufactured dwelling parks affected by the zoning code. And we are here today to adopt the code implementation. We still have a process of implementing administrative rules to fine tune the operations of the program. The day-to-day, what we will do to process the applications and such.

Fish: Can I make a comment about this slide? I wish, in almost every presentation, that we got as a council, we had a slide that's as clear as this one is in terms of explaining where we are in the process, what our role is, what follows. There is a lot of stuff coming at us, so when you take a time to put this, you know, on a graphic, it is enormously helpful, and I want to thank you for doing that. I urge my colleagues to do this as much as possible.

Van Bockel: I will thank cassie graves on my team who put that together for us. But yes, it's helpful for us to keep track of the different initiatives, as well, so the housing bureau does have, an administrative rule process where we will publish a draft of rules, allow for a 60-day period of comment by the public, including a public hearing, and so upon approval today, we would be hereafter implementing that process to implement the rules. That is the end of my presentation. If you do have more questions, I am happy to answer them.

Wheeler: Thanks. Dory, when you established the density bonus program and you established the levels, did you do some degree of marketing or outreach to find out what the level of demand would be at that level?

Van Bockel: So the -- part of the implementation in -- of the zoning code. I am not sure what work had been done at that point since it was part of the establishing of the new zone, itself, for manufactured dwelling parks, or residential, so that established the 60% of median family income amount. It also established the requirement that 50% of the units meet the threshold. With the bureau, what the bureau has proposed is the 99-year affordability period, and primarily because it meets the same guidelines as is in our other long-term affordability portfolio.

Wheeler: I would be curious to see what the level of demand is for this, and I am very proud of the, the base work that was done around the manufactured dwelling parks. That impacts approximately 3,000 units of housing, and so it was quietly done. It will have the significant impact, and I appreciate the work the housing bureau has done there. Commissioner Fritz, did you have a question?

Fritz: Yes, the planning bureau did look into the market research that you questioned about.

Wheeler: Excellent. Thank you. I appreciate it. Any further discussion? Karla, public testimony on this item?

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Moore-Love: I believe maggie and charles bridgecrane johnson.

Fritz: Thank you.

Wheeler: Thank you. Thanks, dory. Good presentation. Appreciate it.

Charles Bridgecrane Johnson: Good morning, charles bridgecrane johnson, and I am not sure how to be passive aggressive about this horrible situation with agreeing with both the mayor and commissioner Fish, but the -- one thing that I think that could have made the presentation even better, if we had gone more vigorously into the equity discussion, the quadrants, and the placement of this housing, but since I was not super getting the data from the slide, it was interesting to note that -- a bit surprising that in the electronic pdf, which is only four pages, 140,000 manufactured homes, oh, that's in Oregon. That's interesting, not Portland. The next one is number three, the Portland, and the main thing that I think would be -- when we talk about, we take it in a binary way, the east side, west side equity, what percentage of these mobile home parks are constrained to the killingsworth corridor or the powell corridor? Obviously, there are a lot of complex things with the real estate market and how housing was developed, but with commissioner hardesty not present today, I think especially it is important that we talk about doing, even though this was a great presentation with that special process, to have some, somebody deal with the gis, so that we know not just statistically what we are talking about as far as the mfi but also geographically who are the people and where do they live and powell and 111th. Killingsworth, in the 1970s, and stuff like that, and be mindful of how far these people are having to go to work, and how do we continue to provide them with economic opportunity for growth? Thanks very much. The package looks like it will do good things, and I look forward to your passage.

Wheeler: Thank you. Good morning.

Maggie: I agree with what charles said. I want to know why do we have to stop with this zoning in certain corridors? Why can't we have residentially owned commons in every neighborhood so that we have an equity in that the rich are living next to people who are low income. What's wrong with that? And why can't we zone these in every neighborhood, and why can't we have tiny home villages that are residentially owned commons in every neighborhood. There is so many abandoned, boarded up homes. If those homes were demolished and taken down, and you took over that property, and you turned it into a residentially owned commons with, you know, four, eight, 12 tiny homes, depending on the size of the property, where they are paying for the liability, and they are doing the landscaping and the management because they have collectively come together and thrown in their 200 or 300 a month together to maintain everything. I don't see why you couldn't do that anywhere. No matter what the neighborhood. Why, why specific areas?

Wheeler: Thank you. I appreciate it. Thank you both. Any further discussion, colleagues? Please call the roll, Karla.

Eudaly: This is a really, I think, smart and creative approach to generate more affordable housing. I am really pleased with the work we have done around protecting residents of manufactured dwelling parks, which are -- come with a unique set of needs and challenges. I vote aye.

Fritz: I am really happy to support this. Pamela and ed took me around the manufactured home community on highland when I was campaigning in 2005, and again in 2007. We knocked on doors. I came to realize what a wonderful option some of the manufactured home parks are and how they are not mobile at all. So I want to thank clair adams for helping to get the policy on mobile homes for manufactured dwellings into the comprehensive plan, and mayor haless' administration and the continued work, good work at the planning bureau and the housing bureau in making ways that make it legal to encourage this and given the consensus to keep this really useful type of community, while

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at the same time having more economic benefit because they can put it on the site or off the site, so it's a very elegant solution, and I am very happy to support it. Aye.

Fish: Commissioner Fritz, I think Ed Garron took me on the same tour, and some of those manufactured homes on the Columbia were really spectacular and affordable. Let's be clear, this is part of our comprehensive approach to helping people stay in their homes, avoid being displaced in their homes, which often leads to a spiral, including homelessness and other things. So, the more that we can do upstream to keep people in their homes to maintain affordability the better. This is a step in the right direction, and I am pleased to support it. Aye.

Wheeler: Well, this is a continuation of a process that started many years ago as Commissioner Fritz mentioned former Mayor Hales was very aggressively involved in making sure that manufactured dwelling parks were protected. This is a natural extension of that work, and I would like to thank everybody at the housing bureau who worked so hard on it. I vote aye. The ordinance is adopted. Now ladies and gentlemen, we can go back to the time certain item number 1103.

Item 1103.

Wheeler: Colleagues, the ordinance before us would grant Verizon Wireless a new franchise for a ten-year term. In September of 2018 Commissioner Eudaly and I set out priorities for staff for negotiations with carriers on wireless infrastructure. Those priorities were reflected in the creation of a new franchise agreement for wireless carriers which complies with new federal rules. Staff from the office for community technology are here today to answer any questions. Director Perez, good morning.

Elizabeth Burden, Interim Director Office of Community and Technology: Good morning. Good morning, Mayor and Commissioners. My name is Elizabeth Perez, I am the interim director for the office for community technology. I am joined by -- oh, I am Jennifer Lee.

Wheeler: Hi, Jennifer.

Jennifer Li, Program Manager Office of Community Technology: The program manager at OCT. I like to do an overview every time we come on what our office does. We are the office for community technology. We are a small bureau that manages access of the public right-of-way by utilities who serve our residents and businesses. The right-of-way is the largest physical asset. It's about 20% of the land within the city's right. It's about 20% of the land within the city is right-of-way, which is all the streets and sidewalks. Our residents have paid billions to acquire buildings to manage this asset. We recognize this brings value to our residents. We have water, heat, electricity, phone, cable TV and increasingly broadband. Utilities want to provide these, and to do that they need infrastructure in the right-of-way. The city wants the services for our residents and businesses, but we need to ensure the services they provide are done safely, and our residents do not subsidize the utilities installing the infrastructure in the public asset. We are here to talk about Verizon and the franchise before you today. So Verizon has agreed to the city's franchise requirements. This agreement ensures that Verizon will pay for them similar to carriers installing similar infrastructure in the right-of-way. Verizon has had a franchise since 2006. The ordinance before you continues Verizon's existing rights to operate in the city and incorporates recent changes in federal law. The term of the franchise are commensurate as required by federal law to the AT&T franchise passed earlier this year. It assesses 1250 per year for every small [inaudible] to poles in the right-of-way and \$8,000 for every attachment bigger than a small cell. The 1250 fee was adopted by city council in 2018 and again with the federal communications order on small cells. In \$8,000 was set in 2003. There are a few differences between the AT&T franchise and the one before you today. AT&T voluntarily agreed to the apology terms in their agreement. A prepayment for franchise and permit fees and a nonprofit donation of

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\$200,000 to support the digital equity efforts in the city of Portland. Due to recent federal law changes, the city cannot mandate any public benefits in wireless agreement. We cannot mandate a donation in the franchise or prepayment. Staff did complete the formal franchise process required by city charter, which includes publication of the franchise in the daily journal of commerce. After publication of the franchise, the auditor's office received no objection, and the franchise was filed for the council agenda. Second reading will be January 8th of 2020. Jennifer Lee and I are here to answer any questions if you have any.

Wheeler: Covered it. Thank you both. Is there any public testimony on this item, Karla?

Moore-Love: Yes. We have six people signed up.

Wheeler: Very good. Welcome. I don't know if you have a particular order? John, do you want to start?

Fish: Go ahead, John.

John Isaac: Okay, no problem. Good morning. Good morning, Mayor Wheeler and members of the Portland City Council. I am John Isaac, the vice president of government affairs for the Portland Business Alliance. Thank you for the opportunity to speak with you today. The Portland Business Alliance is the greater Portland Chamber of Commerce and the leading voice for business in the region. The alliance takes direction from our members to advocate on their behalf at all levels of government to support commerce, community health and the shared and sustainability prosperity for our region and our state. This year PBA formed for the first time a technology and innovation committee. This committee was formed to reflect and give greater voice to the Portland's thriving tech community, and out of recognition that over half of the Portland area jobs are now with non-tech companies. The quote/unquote tech industry is a central part of all sections of the economy, including the public sector. Additionally and perhaps most importantly --

Fish: Excuse me, did you say half the jobs are with tech companies or non-tech companies.

Isaac: Half of tech jobs are with non-tech companies so banks, for example, or government agencies. Yes.

Fish: Thank you.

Isaac: That is according to the technology association of Oregon who formed this committee. Additionally, and perhaps most importantly our members recognize the continued investment in technology is essential for the sustained shared prosperity of the Portland region. On behalf of some of the 1900 members and our now thriving technology and innovation committee I am here today to express our support for the ten-year franchise agreement with Verizon. This agreement will allow Verizon to add new 4G capacity that will improve wireless service for existing customers as well as build new 5G infrastructure which, when fully operational, will improve how Portlanders live, work and play. High-speed connectivity and the fiber networks is critical infrastructure that employers of all sizes prioritize. From local Portland start-ups and small businesses making initial products to Fortune 100 products looking to build new campuses, other cities are competing for the same limited pool of human and financial capital and 5G will elevate the city of Portland seeking to attract businesses and residents. 5G will have a transformational affect and will enable new business models. In addition to high-speed mobile broadband the massive bandwidth, low latency and speed delivered by the 5G technology will enable new services and technologies that will improve the daily lives of Portlanders and give the city critical tools to solve the problems such as congestion, pedestrian safety, emergency preparedness, public service delivery, innovation and education and more. Most importantly, we see high-speed mobile connectivity as essential. We see high speed mobile connectivity essential to an inclusive economy. Technology has long been critical for inclusion. This will not only continue that trend but could move from merely critical to

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transformative. For example, the high speed ultra low latency capabilities will enable services for the visually impaired. With 5g more Portlanders can work remotely, reducing time spent away from their families and Portlanders will have low cost access to critical communication. Mobile broadband and mobile. The demand in Portland is everywhere. Thank you.

Wheeler: You got through that in less than three minutes. Well done.

Dr. Travis Paakki, Senior Director Technology Portland Public Schools: Good morning. I'm denver travis rocky. P.p.s. Under almost in our highly connected words it's no surprise the vision is unfused with technology. They will be critical. They will be powerful and effective communicators who can use multiple tools to convey ideas and information through audio and recordings, story telling, debate and other forms of expression. They will be optimistic future oriented who will become influential and informed global stewards who know how to use technology to collaborate on teams with diverse peers locally, nationally and globally. Access to technology both in the classroom and at home is critically important. We were a proud partner in the creation of the broadband plan and has continued to participate in the digital inclusion act. Schools and students are dependent on access to improve student outcomes and deliver better learning opportunities for all the students that we serve. The city and its partners must take bold action like ensuring development of world class network infrastructure that all have access to including 5g. With the opportunities we can focus on new ways of addressing connectivity between our buildings and reduce overall complexity allowing equitable high speed access for all while maximizing limited resources to deliver high quality technology for all students. Expanded access in schools allows students to take advantage in advancements in technology. At home additional options for families to access the internet helps close the opportunity gap. While today's action won't guarantee that all Portlanders have access to 5g, this is a critical first step. We support the city's work to bring 5g to Portland and will continue to be a partner to ensure that everyone has access to technology.

Wheeler: Thank you.

Fish: Chief technology officer for Portland public schools?

Paakki: No, i'm senior director.

Fish: Is there someone over you?

Paakki: There is.

Fish: I'm pleased to know we have such talent at Portland public schools. We have a technology oversight committee and we're periodically looking for candidates to help provide oversight of technology projects and it's a pleasure to meet you today and to know that Portland public schools has a lot of talent.

Paakki: Absolutely. Nice to meet you.

Wheeler: Thank you. Good morning.

Mariah Scott, President of Skyward: Good morning. I'm mariah scott, president of skyward, a verizon company, so I represent both the Portland startups and fortune 100 company. We are leading drone operations management platform. We were founded out of the university of Oregon mba program in 2012 and opened our first office in downtown Portland on naito parkway in 2014. We have gone from a group of five to about 75 people and we continue to grow our teams here in Portland. We're very committed to staying in downtown Portland and to really expanding the business there. When skyward was founded it was illegal to fly drones commercially in the u.s. But today there are over 158,000 commercial drone pilots including me, and drones are important in disaster response, in commercial construction, engineering, media, utilities, real estate, they help companies gather critical data while keeping workers out of dangerous areas and helping businesses save time and money. Drones are important tools to businesses in our community. One of our customers is pbs engineering and they work with Portland public

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schools to use drones to inspect roofs to protect roof infrastructure and doing hvac inspections. We were able to do that with drones faster and more efficiently. Today none of the drones are connected to a network. So necessary where the 5g and 4g comes in. Cellular connected drones make it safer, more secure to manage the drones in our cities and in our regions. We can provide even more value to businesses and to our communities. At skyward we're connecting them to 4g, and also to 5g. 5g unlocks more pings. It's a critical part of our business. Drones need to fly autonomously and to gather critical data and deliver that data back in real time, so with 5g, a utility company can remotely deploy drones to help detect and prevent issues. An example is in the wildfires where drones can actually be used to fly lines and they can inspect where do you have vegetation over growth, they can see a problem with circuitry or with the transformer before humans can see that so we can get ahead of the issues and prevent some of these gas leaks, wildfires, disasters. At skyward we're that infrastructure and services we'll unlock new opportunities and investment in 5g makes it possible to do that. It's important for our business and the business in our communities that use that technology. Thank you for your support.

Wheeler: Thank you. I enjoyed my tour of skyward very much. It was exciting to see the work that you're doing and i'm particularly pleased with the growth of the company and we do want you to stay in Portland so we thank you for choosing Portland.

Scott: Thank you.

Eudaly: This is slightly off topic, your testimony just reminded me that i'm really interested in the possibility of using drones with thermal sensors to help maintain our urban canopy. Spot troubled trees and also maybe help keep them from getting entangled with powerlines and falling down.

Scott: Yes.

Eudaly: Just wanted to put that out into the universe.

Scott: It's possible. We have a number of customers in utilities and primarily it's the new utility companies trying to maintain infrastructure, so things like trees, canopy, vegetation, it's extremely expensive and time-consuming and drones make it possible.

Eudaly: Great.

Wheeler: Thanks all three of you. Next three, please. Were those the last three?

Moore-Love: Yes.

Wheeler: Good morning. Would you like to start?

Marcelino Alvarez, Chief Product Officer, Fresh Consulting: Yes. Members of Portland city council, mr. Mayor, i'm chief product officer of fresh consulting formerly ceo the backdrop to innovation is a welcome public policy that balances the needs and interests of all citizens with aspirations of its entrepreneurial and innovation clusters. We seek to create new products and services that often push the boundaries of regulations. It must neither favor those with access, power and capital nor those who have been excluded and marginalized. It must not only be adaptable to enable new technologies to evolve but must be thoughtful and considered for any new technology to be used in unexpected ways, some good, some not. It's the task before you today -- not just today but for the foreseeable future if you consider the yin and the yang of any new technology. [audio not understandable] today i'm pledging my support of the infrastructure for the city. I sit before you as a mentor and advocate to the start-up community, founder, as a service provider to organizations and companies who seek my expertise as a pursue commercialization of innovation and mostly as a citizen of Portland. Infrastructure will allow the city to recruit new companies, maintain its foothold in the global marketplace and provide access and services to a broader range of its populace. Startups are constantly on a quest to get from zero to one. This will greatly accelerate their ability to commercialize innovation across a variety of industries from urban mobility to iot to mobile technologies. It has the potential to

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do for iot and other industries to. for those communities have historically lacked access it has the opportunity to provide an alternative to high speed broadband connectivity. They can be plugged into our networks and provide them with tools to learn, to stay informed, to run their businesses and to foster innovation. My ask today is to not only consider allowing a 5g in Portland but also over the next decade looks like. From that perspective it becomes clear without 5g we'll be taking a step backwards and with it not move our city forward.

Maggie: So my question is is verizon under at&t? Like at&t still virtually owns everything. That would be a question, then also what is verizon going to do to protect the security of the marginalized, disabled and aging if they get online. Also, how are they not going to not be like at&t, verizon does the phone for aging and disability, so I want to know like how are they going to help aging and disabled people when they call because they have got questionable charges on their phones or on their internet and help them figure that out because at&t ran a total fraud scam on the life link customers and the government had to sue them, so I want to know how they are going to protect aging and disabled people.

Wheeler: Thank you.

Charles Bridgecrane Johnson: Still good morning. Charles "bridge crane" johnson for the record. A record which has a lot of metro area blah blah, no metrics, no specifics, no data, no goals, no timelines. Just because we say digital divide or something doesn't mean we're helping people. There's a lot of legalistic reasons and arguably moral reasons why you have to approve this since you've already approved at&t but when you do this it's a good place to document where we have had success and where we have had failure at closing the digital divide. It makes one suspicious when there's no data about increased access for poor and minority people. Why don't we talk about it because the data is probably not very encouraging. It probably means that the success rate and growth in wealth for white tech pros is still much higher and faster than it is for any other segment and you have decided to create a presentation which doesn't deal with that information at this time. It will be interesting to review the live video testimony here and particularly take out a phrase, nor should it favor. We live in a diverse community where some people are opposed to affirmative action and direct measurable things to increase participation for those who have been formerly slided, excluded. We have people whose families in this community have been subjected to genocide within the last 100, 200 years, probably much more recently. So when we talk about these franchises and the fact that we're giving multi billion dollar corporations access to publicly owned and control space, just because the federal law says we can't stipulate public benefits, it's a beautiful time for you to talk a little bit more about how public benefit has hopefully or sometimes we don't meet our goals has not happened. So you would think that whatever is next, soft bank, sprint, t-mobile, when they come around for their turn hopefully they will do an even better job. As to maggie's question, international giant telecoms got off the verizon bus so verizon is a domestically centered independent direct competitor of at&t. I don't know if they do obama phones but that's another thing how these companies are delivering services wasn't discussed. Thank you.

Wheeler: Thank you. Appreciate it. Any further questions of staff? This is a first reading of a nonemergency ordinance. It moves to second reading. Thank you all. Next item is 1104. This is second reading. We have already had a presentation and heard public testimony. Is there any further discussion on this item? Seeing none please call the roll.

Eudaly: Well, I know bicycle parking may seem insignificant to some the availability and design has a real impact on whether people can choose to use a bike to travel around Portland or not. We can't expect people to replace car trips with bike trips if they don't have an easily accessible place to store their bike securely. This is why i'm very thankful to city staff from the bureau of transportation, bureau of planning and sustainability and bureau of development services as well as Portland housing bureau for finding solutions that address

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the need of adequate and secure bicycle parking in new development. This was a truly collaborative multi bureau effort and I think that the outcome reflects the benefit of us working across bureaus. So through this work we are taking steps to meet our goals related to congestion and climate change. However we know that code changes are not the only thing that must be done which is why i'm pleased that my bureau has funding to build over 75 miles of bike facilities over the next five years. Many of which are part of projects to make travel safer in east Portland. I want to thank liz hormon, sarah figly ossey and the rest of the pbot crew and the many staff from the bureaus who all contributed. Finally thank you to all the community members and stakeholders that participated and helped make it as strong as it is. I vote aye.

Fritz: The 2010 bicycle master plan that commissioner Fish and I voted for under mayor adams directed outreach that found that one of the primary deterrents to bike commuting is having a safe place to store bikes at home and the destination. The planning and sustainability commission means bike theft means not replacing the kids' bikes. I believe that multifamily housing in particular should be livable for the people who live there and I support the measure that calls for enlarged site to have shared bike storage places that are not in the individual apartments because as we heard in testimony, the spaces in the apartments are sometimes put in the wrong place, they are too small or your tracking mud and leaves in with your bike. So having a shared space in larger development scenes the right thing to do. Aye.

Fish: Well, a lot of good work went into this. I thank everybody for their contribution and i'm pleased to support it. Aye.

Wheeler: This is exciting because of the collaboration that commissioner eudaly referred to earlier and the research that allowed the city council to adopt updated and equitable bike code requirements. First I want to thank the bureau of planning and sustainability, the bureau of transportation staff, the bureau of development services, the housing bureau for developing a code change project that I believe creates a safe, accessible and provides the opportunity for secure bike parking as our city grows. I also want to thank the planning and sustainability commission and our volunteers on that commission for asking tough questions, for listening and reading extensive testimony and for developing the recommended code update that reflects a wide range of potential development scenarios. I want to thank commissioner eudaly and her team and I would like to thank everyone on my team. This was an excellent collaborative effort. What this technical fix means is more people are able to bike to work or school because there's more housing with accessible, safe and secure bike parking. It's a win for the climate, a win for mobility and a win for equity. I'm proud to vote aye. The ordinance is adopted. Thank you, everyone who worked so hard on that. Next 1105. This is also a second reading. We have heard presentation and taken public testimony. Is there any further discussion? Karla, could you please call the roll.

Item 1105.

Eudaly: Well, I appreciate this exception that would have really negatively impacted some existing projects that have already been scoped, funded and are in the pipeline, but I appreciate moving forward with that we're going to have ample bike parking in affordable developments as well. Aye.

Fritz: Good catch. I'm pleased to support this. I love it when we have two related items to vote on so I can say my thank yous. I do want to say a thank you to claire, my senior policy director, and tim crail for their work on these items. Aye.

Fish: Aye.

Wheeler: I vote aye. The ordinance is adopted. 1115.

Item 1115.

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Wheeler: The Portland historic commission provides leadership and expertise on maintaining and enhances the city's historical and architectural heritage. It reviews new development within historic districts and major -- members must have demonstrated interest, competence and or knowledge of historic preservation. The appointment of derek spears fills an at large vacancy with an individual highly committed to ensuring the city's goals of historic preservation serves all people particularly those communities mo have not had their stories adequately told. Reappointments of kristin and matthew continue the consistent leadership they have developed over the past four years. Thank you, derek, kristin and matthew for your willingness to serve on the Portland historic landmarks commission. I look forward to your continued excellence and guidance. Hilary adam is presenting the report. Good morning.

Hilary Adam, Bureau of Development Services: Hello, mr. Mayor, commissioners. Senior planner, bds. I'm here mostly just to introduce you to derek and reintroduce you to kristin and matthew. I met derek a couple of months ago and was very excited by his enthusiasm at the possibility of serving as public at large member and representing those voices that are concerned with the loss of places that matter to them. Kristin and matthew have been on the commission now for four years and have established consistent and dynamic leadership so i'm excited about their continued leadership on the commission. So I would like to invite them up so you can ask them questions.

Wheeler: Great. Thanks. Just by way of maybe introducing yourself if you could state your name for the record, tell us briefly what you see the path being ahead, what you see some of the opportunities and challenges as being.

Derek Spears: I'm derek spears. I remember the opportunity of talking with kristin about this particular opportunity here and i'm a kid from the south from alabama. My husband is from arkansas. We have lived a life that has presented certain challenges as we have been married and together over 19 years now. Thing I can see going forward is to be a voice because I do believe the representation and perspective matters on certain things that happen within the city. This city has held a very special place in my heart for what is the floor to our family, what we saw when we moved here and what it continues to do for us so i'm extremely excited to provide perspective, that voice that needs to be had to help talk about the things we need to preserve for underserved communities. I'm excited to do that going forward.

Wheeler: Thank you. Appreciate it. Good morning.

Kristen Minor: Good morning. I'm the chair of the landmarks commission, and i'm willing to step up for another four years whether or not i'm elected chair but i'm willing to do that. As you know, it's not always an easy position, but I do believe I have unique ability given my background in architecture and planning and historic preservation and these things all come together. But it's more than just good design. This is an interesting time in the city. We have so many challenges in front of us. I do think historic preservation helps answer some of those challenges. Not all of them, obviously, but we definitely want to partner as much as possible with city council and other agencies to make that happen. I do want to just tell you how excited I am to have derek spears willing to step up to this commission. He as you probably heard is from elsewhere so he brings unique perspective. He's been enthusiastic about Portland. One of the things he told me when we first met was that he spends much of his weekend just finding a new neighborhood and walking around and learning about it. So that brings me great joy and I think he's going to really be able to bring a wonderful new voice to the commission. Thank you.

Wheeler: Thank you.

Matthew Roman: I'm matthew roman, privileged to be here with these guys because I love the passion. I think that's what you're looking for in a good land management commissioners. I moved to Portland in 1994 with my family after studying architecture and

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I chose Portland because of the urban growth boundary, because of the small block system that we have, the 200 foot block system. It was a purposeful act to come here. I think I spent the last 25, 30 almost years trying to add my own mark on it but to protect what is so unique about it. I think the biggest challenges we have going forward is how to manage our growth while not losing the uniqueness of our place. So as we think about the future and the really important challenges that we have with climate change I think preservationists today offer a new perspective that's not the frozen in amber we don't want anything to change. We want to be part of the sustainability movement where we're reusing our buildings instead of throwing them out, finding adaptive ways to put them to new use and also to help solve the housing issues that we have by being a positive addition to the number of units that are in the city because we think that historic districts are great places to live and they offer a lot of unique opportunities for citizens of Portland. I'm passionate. I wouldn't do this if kristen minor wasn't here as well. I know her passion. I just met derek today but I can feel it in him. I think you've got a good one.

Wheeler: We're proud to have all three of you serve. Colleagues, do you have any further questions?

Fish: A quick comment. To mr. Spears and mr. Roman, thank you very much for stepping up. This is a very important assignment, very time-consuming work. The quality of your work helps us make informed and good decisions. So we thank you. Kristen minor, you have been an outstanding chair. Thank you for reuping for another four years and bringing that continuity of historical knowledge. There are as you said enormous challenges that the city faces. I happen to wear rose colored glasses so I think in terms of if we get them right some of the really pressing issues in our community around being a leading green city addressing homelessness respect, cleaning up our river, if we get them right I think we become a singular city of our size. What's excited is we're making this history as we go along. There is a big fraction or tension point right now between the supply ciders on housing and the preservationists in terms of how we balance the two. It's a very healthy debate but your voice is needed now more than ever to preserve our history and the places that give us a sense of place. So thanks for all three of you but particularly to kristin, who has been serving for some time and is taking this on again. We really appreciate the fact that people of your quality and your background are willing to serve in these positions and help us get it right. Thank you.

Wheeler: I'll entertain a motion.

Fish: So moved.

Eudaly: Second.

Wheeler: Any further discussion? Please call the roll.

Eudaly: I want to thank you for your willingness to serve. I wish I could -- i'm a little too busy these days but I have a particular interest in how do we preserve beautiful historic buildings while serving the kind of increased need in the community. I almost can't stand to look at old photos of the city and see what we decided wasn't worth saving in the past. It's heartbreaking. So the more that we can preserve what we have left the better. I vote aye.

Fritz: Thank you each of you for the time you put in. Matthew, kristin, thank you for being willing to step up. It's a lot of work. I'm really impressed the three of you are taking time away from your lives this morning. It's a little sad that this afternoon we'll be voting on reducing historic protections in many areas of our city. So your advocacy is going to continue to be need and obviously sometimes council listens and sometimes we don't. That's the nature of citizen commissions which makes it even more challenging to serve and to be willing to continue the passion. I hope that somebody will be getting to the seat in 2021 who will continue my passion for historic preservation. Aye.

Fish: Thank you. Aye.

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Wheeler: Strong panel. Thanks for stepping forward. I vote aye. The report is adopted and the appointments are approved. Thanks again. Appreciate it. Next item 1117.

Item 1117.

Wheeler: The city of Portland through the Portland housing bureau has a strong relationships with Multnomah county in funding the joint office of homeless services. This partnership is formalized through an internment governmental agreement between the city and the county first formed in july of 2016. This amendment to the iga revises the city council's fiscal year '19-'20 annual budget allocation to the joint office of homeless services which entails 214,318 in federal carryover funds from the fall bump process and \$180,000 in recreational cannabis funds to provide supportive housing, capacity and services. We have the housing -- actually we don't. We have two great people here. How are you doing?

Molly Rogers, Deputy Director Housing Bureau: Good. Good morning. Mayor, commissioners, i'm molly rogers, deputy director of the Portland housing bureau. I'm joined by christian elkin with the joint office of homeless services.

Wheeler: Good morning. Thank you for being here.

Rogers: We have no formal presentation but are happy to answer questions.

Fritz: A question regarding the recreational cannabis funding for homeless how are we targeting that to make sure it's available for people for communities previously impacted by prohibition?

Rogers: We're looking to use resources to expand our supportive housing set menu of services delivered by addiction and mental health practitioners. That is actually being managed through the joint office of homeless services and the contract that work out to join a nonprofit that hires a multidisciplinary team of folks who can work with our residents who are living in permanent supportive housing of city financed housing who need those additional services to deal with whatever issues arise that may impact their housing stability.

Fritz: In particular the recreational cannabis tax funds are to be used to serve people of color and how are we making sure that those services are intentionally being provided to people in that category?

Christian Elkin, Joint Office of Homeless Services Multnomah County: When we contract with join we will set forth these stipulation of the cannabis recreation fund and ensure so when they are hiring the fte they are using for the mobile housing team they will have certain stipulations. When we do coordinated access and entry we are ensuring the vulnerability assessment risks are made and that we're identifying who needs the services based on the different types of funding that come into the joint office. So this isn't the only funding that comes with stipulations so oftentimes there's a set of criteria that the people who are receiving the services have to meet. This will be another entry into that criteria.

Fritz: If you could please track as we're going to be having more conversations about this, if you're able to give us information on the demographics of the people being served that's going to be helpful in knowing should we continue to put this money towards that service.

Elkin: We'll include that in the contract language.

Eudaly: If I could add to that a little bit those are really good questions and something that i'm -- a concern I share with commissioner Fritz. I just want to add that there is a deep focus on racial equity in the joint office, so to some extent that's built into the system. They are really committed to closing those kind of disparate impact gaps and serving communities of color in particular. We can't always target funds with race requirement but we can get -- there's creative ways to get to people who have been most impacted, and I believe that's happening they have lots of good data. Almost too much data. Every meeting i'm a little inundated with the data.

Fish: Couple points. One, am I correct that under mayor wheeler's term as mayor we have effectively doubled our contribution to the joint office?

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Elkin: Over the last four years since the inception of the joint office the city's contribution from 2017 until now has increased by 25%, so that included what was originally part of the Portland housing bureau that came to the joint office and then we increased both the city and the county increased their investments by \$10 million then we have seen investment since that time in the joint office.

Fish: So again my recollection is we have effectively doubled our contribution. Is that correct, mayor?

Wheeler: It depends how you count it. The gross output has been from 17 million I think to 34 last year. Is that correct?

Elkin: Correct.

Wheeler: However, I think if you do it the way christian is suggesting if you consider resources that were already ongoing that were previously allocated through the housing bureau, so I think what you're saying is 25% of those contributions are new. 25% previously existed under the housing bureau. Is that right?

Elkin: I did the math just on the total contributions but when I originally started working at the joint office we looked at kind of what came in as existing resources from both the city and the county from the Portland housing bureau and the department of county human services, and then the additional investments made over that time. I could relook at it with that lens.

Fish: Would you shoot me an email? I would like to document that. We're going into our budget cycle so it's important we hold the line on these critical investments. The other thing I want to mention is there are a lot of people who are new to this conversation about how we address homelessness. We get emails from people saying why aren't you doing anything, what's the city doing. I think one of the answers is to point people to the joint office and say we have a plan. It's a very ambitious plan. It addresses all the nuances of what we encounter on the streets. It's about prevention, rapid rehousing, shelters then supportive housing and other services. It's comprehensive. And we don't have to keep reinventing the wheel. As I like to tell people we have a plan. It's bold. We have to fund it. I thank you both for your work.

Wheeler: Great. Thank you. Any further discussion? Is there public testimony on this item, Karla?

Moore-Love: We have two people signed up.

Wheeler: Thank you.

Maggie: This is about the contract money, right? So I want to know again because jo ann hardesty is not here how many low income or aging or disabled people or what's the diversity looking like on getting a contract from you guys as far as how they are spreading the money around to different people who are getting contracts with the city.

Fish: Do you have a chance to go to the joint office meetings? The work group meetings and see their annual reports and other things? They produce a lot of work. It's on the website. It answers all those questions. Today we're releasing money but that's a very good question about how we spend the money and if you're having difficulty getting that from the joint office would you let my office know?

Maggie: Okay.

Fish: Thank you.

Wheeler: Good morning.

Charles Bridgecrane Johnson: Good morning. Charles "bridge crane" johnson. The way this is titled -- an opportunity to be positive. We could speculate about whether public enthusiasm or public cynicism about local government is growing faster but when we title these things amend johs intergovernmental agreement with Multnomah county to authorize revised budget allocation, I think when people vote they are trying to vote for people who write in the title saying increased \$1 million, increased \$1, reduced \$1. Then when you

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click through on to the pdf, 748259 is the number, why is there no prior and future year -- it's such an issue that commissioner Fish raised it. He said what has been the financial situation for the jobs since inception up to now? Are there accounting indications that it's grown 50%? Or what? But we get one attachment on page 5 of seven exhibit h, and it's really I don't think any of you can say this is best practice to snapshot a one-year and not talk about the challenges of how much of this is a percentage of total city revenue or expenses, how does it compare to the -- as mr. Fish pointed out there are sources for that and i'm glad he volunteered his office to help us connect with that information, but maybe public sentiment and the number of public questions would be reduced if there was a better job at putting a better scope of the data in agenda items like this. Maybe somewhere in your packets there's a specific dollar amount you can talk to about what the net increase is and get that on the world that would be beautiful. Thank you for your time.

Wheeler: Thank you. Any further discussion? Karla, please call the roll.

Eudaly: Aye.

Fritz: Commissioner Fish, you have helped or led the writing of the housing provisions when you first came into office with mayor adams in getting the bureau of housing and community development and then Portland development commission to decide who is doing community development, who is doing housing, establishing the Portland housing bureau and that was the beginning of a necessary systemic way of creating efficiencies. Focus. Then you also worked with mayor hailes and commissioner saltzman in forming the joint office which again made things more sensible so it wasn't that the city was taking care of one group of people living outside and the county was taking care of another but the housing bureau and the joint office have really done amazing work over the four years that you have been partnering together. I very much appreciate it. I'm glad to be able to support this contract. In particular I appreciate how much you care. We had a senior citizen come into my office the friday before thanksgiving around 3:00 p.m. On a bitterly cold day when it was really windy but not quite cold enough to open the city shelters and making various phone calls to find this individual a place my assistant called over to the joint office. Mark jolin at 4:30 p.m. On just before thanksgiving was able to find a place. Not only that we were able to get this individual into a shelter but then mark texted back to me over the course of the holiday to let us know this individual was safe. We really appreciated that. It's not only the really great and focused work you do it's the fact you do it with care and compassion. Thank you very much. Aye.

Fish: I'm very pleased to support this. I will be looking to see how we can make even more investments during the budget cycle. Mayor, you have a lot of responsibilities, very little power under our charter but a lot of responsibility and relationships that are important. I think this relationship between the city and the county, between the mayor and the county chair, over how we're addressing homelessness is a paramount relationship. There have been some bumps along the road. But if you focus less on style and more on substance, we are aligned. We have a plan. We're investing in that plan. We're looking for new resources to expand that plan. It's really good work with a lot of terrific people at the table, and it is very important to our city that the county chair and the mayor continue to collaborate at a very high level in addressing our number one problem, which is street homelessness. Thank you for your work and the presentation. I'm pleased to vote aye.

Wheeler: So I want to answer charles bridgerane's question. Why is the title boring? The answer is because a lot of the work that we do on the city council is actually just doing the business of the city. And sometimes it is boring. This is the sixth amendment revised exhibit h, with the actual awarded fiscal year 1920 budget amounts which adds \$116,917 in carryover federal emergency solution grant funds, \$97,464 in carryover federal housing opportunities for people living with hiv and aids, that's the happen what funds, and from the 1920 fall supplemental budget we're adding \$180,000 which we previously discussed

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during the fall bump with the recreational cannabis fund. So a lot of the business that we do here maybe we could be more interesting the way we put it on the agenda but a lot of this is really just doing business in this case it's allocating federal grants, very specific purposes, and it is allocating fall bump funds where we have already had the discussion about the use of the funds. So I wish we could make it more interesting and more exciting, but sometimes it just ain't. I also do want to get to the philosophical underpinning of the joint office. Two of my colleagues mentioned it and it bears mentioning. This is a highly innovative partnership. I do want to commend all of those who came together in 2015 and 2016 to establish the partnership former mayor haes had a huge role to play in this. Commissioner Fish, then housing commissioner, had a huge role to play. Chair kafoury was instrumental in making sure the joint office got off the ground. Many, many other people who worked in the housing bureau and the county infrastructure and elsewhere to make sure the joint office would work. While there definitely have been growing pains and bumps along the road as we better understood what to do to address the homeless situation this is still a nationally regarded model. I cannot go to a meeting of national mayors where people do not ask about this model. How it's working, how it was created, how it is evolving with time to meet the needs in our community. In large measure because of the success of this model i'm very confident that we will end homelessness in our community. It won't be easy. It won't be quick. But i'm confident that through the joint office we have established the right practices around prevention, around shelter, around how to best transition people into housing and how to keep people successfully in housing by creating the support services they need to be successful, addition treatment or mental health services or job training, domestic violence survivor services, I feel we have hit on the right formulas and we should be proud of the work being done. Obviously the problem continues. We need to scale the solutions, but I believe we have settled on the right formula and it's largely because of this unique and innovative and important structure we have created. I just wanted to say it's important to reflect on the history and it is important to reflect on the historic contributions that so many have made because we all share a passion in ending this crisis in our community. I'm proud to vote aye. The ordinance is adopted. That leaves dory, the last person to come up for the pulled item --

Fish: 1122.

Wheeler: We're going to do this quickly. The person that pulled it left. Karla, can you read 1112.

Item 1112.

Wheeler: Colleagues, any questions? Any public testimony? Call the roll.

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

Wheeler: Aye. Thank you, dory. Have a nice day. Last item on the agenda, 1122.

Item 1122.

Wheeler: Commissioner nick Fish.

Fish: Colleagues, creston park near southeast 45th and powell is celebrating its centennial next year. As we know it's in need of some love. Remove the swimming pool, add new picnic tables and benches, improve ada-accessible paths. The bureau estimates the total cost to be approximately 2.3 million. It will be funded by three sources. About half will come from the 2014 parks replacement bond, and the balance from the park systems development charges and parks ada fund. Parks conducted extensive public engagement and this design reflects the community's input. I would like to begin by thanking the voters for overwhelmingly approving the 2014 parks replacement bond and commissioner amanda Fritz for her leadership on the bond campaign. Parks capital project manager gary deca is on hand to answer any questions you may have. Gary?

Gary Datka, Capital Project Manager Portland Parks and Recreation: Thank you for having me. I have no formal presentation but i'm available to answer questions. And

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commissioner Fish, if I could just back up on the total project cost, we had a total project allocation of \$2.3 million. We're estimating the project construction costs at \$1.5 million, which what we're here for today.

Fritz: I have to ask what was the outcome of the fierce battle over the swings?

Datka: We have so many swings. [laughter]

Wheeler: What was the battle?

Datka: Swings are one of those things that all playgrounds benefit from. There's great developmental sensory things that come out of swinging. Consider Creston Park in particular had a very big outpouring for swings. So we have a number of bays of swings, we have a group swing for inclusionary play, then a great play space over all.

Eudaly: Is it accessible?

Datka: It is not technically inclusive which we have been branching out to build more of.

Eudaly: There will be an adapted swing?

Datka: We have two I think. I believe there's also two I call them baby bucket swings for toddlers and two standard strap swings and the group swing.

Fritz: That's the perfect outcome. Generated significant community conversation. Yes, commissioner, the children from Creston elementary also looked into access from various places and were very much focused on that.

Fish: This is a terrific park with a great tree canopy next to an elementary school. It's in an area changing quite a lot. And it's long overdue that we upgrade these amenities. So we're very pleased to present this for your consideration.

Fritz: We were able to save most of the big streets; is that correct?

Datka: We're saving all the trees around the play area. We'll take out one to two trees for some of the ADA improvements, getting to the pool most readily. The approach is a difficult one from the parking lot.

Wheeler: Great. I'll state the obvious, this underscores the urgency for us to find a sustainable funding process. This park has long been promised. I'm proud of the work my colleagues have done on it. Looks great. Thank you. Any further questions? Is there any public testimony on this item?

Moore-Love: I believe she left.

Wheeler: All right, it's an emergency ordinance. Please call the roll.

Eudaly: I'm very pleased to hear about the addition of the adaptive swing. The first time I directly engaged with city hall was probably over ten years ago with parks. In my mission to increase meaningful, accessible options for children with disabilities, specifically mobility challenges, and I really honed in on swings and installing adaptive swings on playgrounds deemed accessible which I have said before and I'll say again is a really low bar. Not inclusive for kids with significant motor impairments. So we have a lot of work to do but I'm just so happy about that and the larger project. I vote aye.

Fritz: I echo commissioner Fish's thanks. Thank you for finishing up that campaign. I'm happy to say all of the projects have included much greater awareness of disability and almost all of them have adaptive swings. It's really exciting. Of all the parks projects this may have been the one that required people in the parks bureau to work together, the different departments, both communications, planners, urban forestry, huge amounts of effort going into getting this park done correctly. I'm happy it's come especially because this is where we filmed one of the commercial segments for the fix our parks segment. So it's very fitting that it's getting what we promised when we asked people to continue fixing the parks. Aye.

Fish: Nice work, Gary. Aye.

Wheeler: Yes, this is a happy occasion. Thank you, commissioner Fish. Thank you, commissioner Fritz for your great leadership. Thanks to everybody at the Portland Parks and Recreation Bureau for delivering. Charles Bridge Crane asked a question earlier about

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whether or not faith in local government was going up or going down. I don't know the answer to that question but I do know the way you build trust is you do what you say you are going to do. This is another case of the parks bureau living up to the commitment to the promises that it made to the public during the last bond issuance and living up to the confidence and the faith that voters put in the Portland parks and recreation bureau and the city of Portland to do what they said they were going to do. We're doing it. I vote aye. The ordinance is adopted. We're adjourned.

Council recessed at 12:00 p.m.

This file was produced through the closed captioning process for the televised City Council broadcast and should not be considered a verbatim transcript.

Key: *** means unidentified speaker.**

December 4, 2019 2:00 p.m.

Wheeler: Good afternoon, everyone. It's still december 4th, it's the afternoon meeting of the Portland city council. Karla, please call the roll. [roll call taken]

Wheeler: Aged two hours since you saw me last. We'll hear from legal council on the rules of order and decorum. Good afternoon.

Lory Kraut, Senior Deputy Attorney: Welcome to Portland city council. The city council represents all Portlanders and meets to do the city's business. Presiding officer preserves order and decorum. To participate in 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 on 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're a lobbyist. If you're representing an organization, please identify it. The presiding officer determines 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 and would like to show support for something that is said please feel free to do thumbs up. If you want to express that you do not support something feel free to do thumbs down. Please remain seated in council chambers unless entering or exiting. If you are filming the proceedings please 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 ejected for the remainder of the meeting. After being ejected 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: Thank you. First time certain item, item number 1123.

Item 1123.

Fish: Thank you, mayor. Before we get started we have some guests, former metro president tom hughes, professor lucas. Would you like to tell us who is joining us today?

Wheeler: Welcome.

Fish: Who are our guests today, richard?

Richard: Portland state university --

Fish: Welcome, everybody.

Wheeler: Thank you for being here. Tom, good seeing you again. Commissioner Fish.

Fish: Thank you, mayor. I was so excited about this particular item that's before us that I forgot to shave this morning. [laughter] recycled that joke.

Eudaly: Yeah.

Wheeler: Still good.

Fish: I apologize in advance. I've got a strain in my voice. I hope I can still be heard but it's a temporary thing. We have an all-star lineup. We have a strong resolution. We have a lot of momentum. And it's my honor to kick things off this afternoon. Colleagues, i'm very pleased to bring forth this resolution directing city bureaus to transition to electric and/or battery operated leaf blowers. Across the nation we have seen a shift towards regulating

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gas powered leaf blowers. Over 100 cities including Washington d.c. And los angeles have some form of leaf blower ban or regulation. The city of Portland has code through civic life which provides general operating and noise restrictions for the use of leaf blowers. But it's not enough. We're in a climate crisis. In 2017 the city and Multnomah county pledged to transition to renewable energy by 2050. This resolution is a small step in the right direction. A study in 2011 found that using a two-stroke gas powered leaf blower for 30 minutes emitted about the same amount of greenhouse gases as a 3900 mile drive in a ford f-150 pickup. As we'll hear from our invited testimony, gas powered leaf blowers pollute our environment, they are bad for the health of the operator and the public, and they are a noise nuisance. This resolution directs bureaus to transition to hand-held blowers to electric or battery operated by January 1, 2021. When the technology becomes available, bureaus will also transition backpack blowers as well. Beginning early in the new year we will set up a working group who will be tasked with fighting an equitable path toward city-wide transition in the future. Here to further introduce the resolution is my policy director, Asena Lawrence, who will then introduce the panel. Welcome.

Wheeler: Good afternoon.

Asena Lawrence, Senior Policy Director, Office of Commissioner Fish: Good afternoon. My name is Asena Lawrence, Commissioner Fish's senior policy director. As you know we're in a climate crisis wreaking havoc on our planet. In our lifetimes we have seen global temperatures rise resulting in massive storms, fires in the tundra and species extinction. The future is bleak unless we take immediate action. Fortunately Portland has been and continues to be a leader in green energy and green technology. We as local government and as Portlanders are environmentally conscious and are committed to looking at innovative ways to reduce gas emissions. Fighting climate change takes a multifaceted approach from the Paris accords to smaller ones such as banning plastic bags in Portland, cutting down use of single use cutlery and straws and transitioning our fleets to electric and hydro automobiles. Each step is important in reducing greenhouse gas emissions and creating a more sustainable future. We're proud to bring forth this resolution which directs city to transition gas powered leaf blowers are harmful. They emit harmful chemicals, they produce high levels of noise of which prolonged exposure can contribute to permanent hearing loss. This resolution directs bureaus to transition to electric and or battery operated hand-held leaf blowers by January 1, 2021 and transition backpack blowers, a common model, as soon as the technology advances to meet the needs. Currently we're told by bureau staff the technology is not there yet but that it's rapidly improving and will be there soon. There are five bureaus that use leaf blowers. Combined there are a total of nearly 300. They are used for a variety of tasks from residential purposes, blowing leaves around fire stations, to more intense prolonged use in remote natural areas in Portland to removing leaves and debris on construction sites from Pbot. The cost will vary depending on the bureau needs. Electric and battery operated blowers have a reputation being more expensive but do not rely on gasoline or gas-oil combination for fuel and are less expensive in the long run than gas powered blowers. Some bureaus parks and Pbot especially have already started transitioning. After speaking with our two bureaus BES and Parks have committed to further transitions. Parks will transition their community gardens program backpack blower inventory by January 1, 2021 and BES has committed to transitioning as well by January 1, 2021. They will hold their contractors to the same standards as their staff. The city has existing code language restricting use of leaf blowers and specific zones by time of day and sound decibel level. The code can be found on the website and will not be impacted by this resolution. Rather this resolution reinforces the code. Beginning in the new year we will form a working group with stakeholders from various fields including health specialists, community advocates, minority day labor organizations, city staff and others to consider an equitable city-wide

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transition in the future. With that i'm pleased to introduce our panelists. The first is commissioner vega-pederson and jason trombly.

Wheeler: Good afternoon. Thanks for being here.

Jessica Vega Pederson, Multnomah County Commissioner: Good afternoon. Thanks for coming back for the afternoon session. Thank you, mayor wheeler and commissioners, for taking on this issue and especially thank you to commissioner Fish for your leadership on this really important public health and liveability issue. I'm jessica vega-pederson, Multnomah county commissioner for district 3. I'm here today to voice my very strong support for this resolution before you which begins the process of transitioning our community away from harmful gas powered leaf blowers. I have to say that for all the work that I had done on climate issues, on getting coal out of our energy mix, on pushing us to use cleaner fuels for transportation I was actually very surprised to learn about the devastating impacts that gas powered leaf blowers have on our health and air quality. I want to thank a lot of the community members here today who have done so much work on advocating for this issue. Bringing it to my attention was one of those things that made me realize there are steps we can take locally to look at this issue and the impacts on our community. The step that you're taking today as has been stated is one that dozens and dozens of other communities around the nation have taken similar steps because of the seriousness of this issue. As we know gas powered leaf blowers emit high levels of particulate matter that lead to poor air quality mainly because of the cheap and inefficient two-stroke engines. 30% of the fuel in those leaf blowers actually fails to combust which means that they are exhausted in extremely harmful polluting emissions. when we are faced with a dire necessity to aggressively combat the polutions of greenhouse gases. To build on what commissioner Fish stated earlier, 2011 study found you would have to drive a ford raptor pickup 235 miles stopping every 505 seconds to do a cold restart to emit the same level as idling a two-stroke leaf blower for less than ten seconds. We also know -- I know. Incredible. We also know the noise pollution from these devices can harm the operator as well as any bystanders within earshot. Experts say that any noise above 91 decibels can be hazardous and studies have shown leaf blowers emit noise that can rise above 100 decibels at the operator's ear. We also know that these numbers don't tell the full story. The types of the sound waves emitted by leaf blowers have been shown to travel farther and penetrate physical barriers as anyone who has been indoors when there's a leaf blower going outside can attest to. We in Multnomah county have been entrusted as our community's public health authority and we take that responsible very seriously. We're currently undergoing a process to identify what actions we can take to protect and improve our community's health and i'll be working alongside our partners at the city to include the impacts of gas powered leaf blowers in that analysis. I welcome and support the step you're taking today and am eager to work alongside you to develop a process that phases these out in a way that's equitable and serves to ensure our community is healthy. Thank you for taking this action today and thank you for this opportunity to testify.

Wheeler: I also want to thank you for highlighting the impact of wood smoke fires as well. I know the county took an important step yesterday due to the air quality problems here in the community in putting a ban on those. That's generated a lot of conversation, a lot of discussion and helped inform people about the real impact particularly on an adverse climate day. Thank you for that leadership as well.

Vega Pederson: Thank you.

Jason Trombly, Legislative Director, Office of Representative Keny-Guyer: Good afternoon, mayor, commissioners, i'm jason trombly. I serve as legislative director state representative kenny guyer. Thank you for an opportunity to provide insight on what was house bill 3350 which addressed gas important leaf blowers. Today's remarks I hope will address two items recommended to the bill in particular. both the context behind legislation

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as well as lessons learned from this work as Portland and Multnomah county work to develop local ordinances. The bill was a response to energy from constituents earlier in the year in a town hall with representative kenya-guyer, as well as senator dembrow. As a representative he underscored the health impacts of this issue in her testimony on June 18th noting that studies have shown that regular exposure to loud noise can cause cardiovascular disease, hypertension, frequent headaches, increased stress on the body. 2-cycle gasoline powered leaf blowers contribute to air pollution. She noted populations such as children, elderly and asthmatics face greater exposure risk as windows are open. As stated earlier by commissioner Fish over 100 cities across the country including Washington D.C. have implemented ordinances related to gas powered leaf blowers. Second is guidance for city council and Multnomah county government. As both the city and county move forward with assessing the next steps I would like to offer a few points based on the discussion June 18. First is alignment with federal laws. During the June 18 hearing an advocate smartly noted future efforts to address this should align with the federal clean air act. Second, for an adopted and forced ordinance to truly benefit all communities the process to develop must be centered around a thoughtful, intentional racial equity and social justice approach applied through the city of Portland's racial equity tool kit and Multnomah county's equity and empowerment lens. For example an important benefit that is often raised as a positive impact on landscape workers noting that a number of workers are communities of color or immigrant communities. To what extent are the landscape companies owned by minorities, women or emerging small businesses? How do we insure they have the capital to upgrade equipment? Some residents rent equipment because they don't own them, can't afford them or there isn't a store close by in the neighborhood where you can purchase one. Thoughtful intentional engagement is essential to ensure possible ordinances at the city and county level actually support and benefit everybody. Thank you.

Fish: Thank you for joining us.

Lawrence: Our second panel will include Michelle Christine Chen, the chief sustainability officer and Brian Stewart, community advocate.

Wheeler: Good afternoon. Thanks for being here.

Michelle Crim, Bureau of Planning and Sustainability: Thank you very much. Mayor, commissioners, I'm Michelle Crim, the city's chief sustainability officer in the Bureau of Planning and Sustainability. As you know, Portland's response to climate change is not new. These are the same things that make people want to live, work and play, creating walkable neighborhoods with shopping, restaurants and parks, investing in transit, sidewalks and bikeways, protecting natural areas, making our homes and buildings more efficient and comfortable. The climate change has gone from a challenge to a crisis. We only have a handful of years to dramatically reduce carbon emissions but not only dramatically reduce carbon emissions but also provide benefits to communities on the front lines of climate change specifically communities of color and low income population. We need to cut local carbon emissions in half by 2030. That sounds like a ways away but it's only ten years and we're only at a 15% reduction so we have our work cut out for us. By 2050 we need to get carbon emissions down to zero to avoid the most catastrophic impacts of climate change. In order to achieve that goal we need to replace gas powered equipment, all of the gas powered equipment in our community by 2050. The resolution before you today is an important step because it means the city will do a better job of walking our talk as well as setting an important example for others to follow. In addition, moving to electric leaf blowers is an important behavior and procurement change that could be transferable to other gas powered equipment used within city bureaus. As has been mentioned besides climate air quality and worker safety benefits are also important. These two stroke engines are less efficient and result in higher emissions of particulate matter

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matter, volatile organic compounds and nitrogen oxides particularly in older equipment. These can have acute health impacts and both contribute to ozone which is also harmful to our health. Ozone has been on an increasing trends in Portland due to vehicle emissions, increased sunny, hot days in the summer and forest fires. Emission decreases across all ozone precursors is a move in the right direction. The code benefit of decreased pollution is also a bonus for the health of Portlanders although it's difficult to quantify the health impacts of the many sources of noise pollution in the urban landscape we know noise from leaf blowers at low frequencies can travel far. That noise is at best a nuisance for people nearby and at worst a real safety concern. Particularly for workers including city employees that are exposed to the noise of leaf blowers on a regular basis. So for all these reasons the bureau of planning and sustainability is in support of the resolution before you today. It's an important leadership step towards advancing bolder community-wide action in the future and the bureau is excited to help the implementation of this resolution in any way that we can. Thank you.

Wheeler: Thank you.

Brian Stewart, Quite Clean PDX: Thank you, mr. Mayor, members of the council i'm brian stewart. I represent quiet clean pdx and I would like to bring your attention to the presentation that we have for you. I don't know if you're able to see that. I'm going to be comparing the performance of gas powered leaf blowers to battery powered models. All information is readily available. I'm going to focus primarily on backpack leaf blowers because they pose the most serious threat to the safety of workers and the public. It's well documented it's been mentioned that gas blowers emit high qualities of pollutants, toxic chemicals and fine particulates. Workers operating gas blowers are exposed to high quantities of these toxic pollutants often for several hours per day. Gas blowers do not have the pollution controls that automobiles have. They are far more polluting than cars. One hour of gas blower operation creates equivalent pollution to driving a car a thousand miles. Battery powered models emit none of these dangerous pollutants. Gas blowers also produce carbon emissions at about 12 pounds per hour of use. This adds up to thousands of pounds per year so using a gas blower for several hours a day produces a volume similar to an automobile. Battery blowers produce 25 times fewer carbon emissions and when charged with what we know to be readily available renewable energy they will produce zero carbon emissions. Auditory health organizations agree sounds become dangerous over 70 decibels and above 85 even minutes can cause permanent hearing loss. The city noise ordinance sets limits on noise levels to 65 decibels increasing to 7 for fall and winter use. These provide protection to workers and the public from dangerous levels of noise. This shows why we have a gas powered leaf blower problem and why noise limits are an essential part of the process. You can see the vast majority of backpack style blowers sold today far exceed even the limits. Some are eight to 16 times noisier than allowed and as you know these tools are used year round. As gas blowers produce more force they get louder. The quest for more power has led the industry to embrace tools that are dangerously loud and pose serious health risks to workers. Battery powered blowers are much quieter and equally as powerful as the gas blowers which is a myth busting thing that's important to note. Initial equipment cost for both types of equipment are comparable. The real difference is the cost of fuel. Gasoline versus electricity and batteries. A gas blower will cost over \$2 per hour to operate which adds up to thousands of dollars per year in fuel costs due to the efficient electric motors they are cheaper to operate per hour. Batteries are expensive but even when you include the cost of the batteries battery blowers cost half as much as gas blowers to operate over time. I hope this information makes it clear they are dangerous tools especially to the workers who operate them. Safe, cost effective alternatives are available. I urge you to enact this resolution but also to push

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for stronger local regulations that protect workers and public from these dangerous machines. Thank you.

Wheeler: Thank you.

Fish: Thank you very much.

Lawrence: Council, I would like to thank your bureaus for kindly answering my many questions about leaf blowers in their inventories. With that we have concluded our presentation.

Wheeler: Thank you.

Fish: If there are any questions from council we can take them and we have further testimony.

Fritz: I would like to offer a friendly amendment to the resolution. Commissioner Fish and ms. Lawrence already put in a be it further resolved that city bureaus and contractors do not and shall not blow leaves and other debris on to neighboring properties. Would like to add or on to sidewalks or into the street except on leaf collection days in leaf collection areas. The city encourages Portland residents to do the same.

Fish: Accept that as a friendly amendment.

Fritz: Thank you. I'm hoping this policy while it currently only addresses city bureaus will lead to a city-wide ban on leaf blowers. I would like to set the expectation that it's not okay to take your blower whether it's electric or gas and blow the leaves where somebody else has to take care of them or worse in cities that don't have pickup cause hazards for cyclists and other street users as well as clogging drains. This morning I saw someone across the street blows dust and leaves into the streetcar and the max. It's just -- it's rude is what it is. It's downright rude behavior and needs to be stopped.

Eudaly: I would just like to add my support to commissioner Fritz's comments about the desire for an eventual city-wide ban. Multnomah county has the worst air quality in the state, and Portland has some of the worst air quality of any major city in the world, which is absolutely hard to believe it's so beautiful it doesn't look as smoggy as Beijing but it's really bad. I hope we can act. This is a great step forward. I hope we can continue to take swift action.

Wheeler: And legal counsel we can accept that or does it require a motion and second?

Kraut: As long as there's no objection --

Wheeler: We'll take it as a friendly action.

Fish: With that we'll move to testimony.

Wheeler: How many people are signed up? Very good. Folks, the microphones slide around about six inches is the right amount of distance. When you have 30 seconds left in your three minutes you'll see a yellow light. When your time is up it goes to red. I would ask that you please cease your testimony at that time.

Alan Flint: I'm Adam Flint. I also have a cough so I'm working through it. I'm here this afternoon presenting testimony on behalf of the Oregon landscape contractors association. I'm submitting the testimony with association's position paper on the use of gas powered backpack blowers. Outdoor power equipment safe and reasonable use pledge contractors in Oregon will beginning to adopt battery powered small equipment. It falls short and is significantly more expensive. However looking at the track record of technological development of battery equipment over five years we're confident run time power and costs should equal gas powered equipment within five years. Similar to automobiles the development of vehicles like Tesla is exciting but not economically viable for all transportation use at this time. As vehicles the evolution of technology gives us great hope our engines will be replaced with battery powered in the near future. We feel forcing a ban could be more impactful to smaller businesses, minorities less likely able to replace their gas powered blowers. As an industry with likely the largest use of gas powered leaf blowers we ask to be included in the discussion and/or any work group created to form

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future initiatives. Our connection to the national landscape contractors association and outdoor power institute can help provide data to come help maintain the goal. [audio not understandable] without an outright ban. Please accept our offer to participate in any work group out of this ordinance if passed.

Mary Peveto: Good afternoon. I'm the executive director of neighbors for clean air. Thank you for this opportunity and all the commissioners and especially commissioner Fish for your work. I'm here to express my support for this resolution to ban gas powered leaf blowers in the city operations. In the ten years since Oregon department of environmental quality Portland air toxics conclusions brought to light the problem of air contaminants in the city very few actions actually followed that study of understanding the complexity and the ubiquitous problem in the Portland area. It should be interesting to note especially today as you already noted, mayor, that we have had bad air quality days and as commissioner eudaly mentioned too Portland's air is often not as clean as we think. It was interesting to note that ten years ago the Portland air toxic solutions project identified specifically lawn equipment as a major source of contaminants. So in that same period of time it's become increasingly clear to me that waiting for our state government to take action is just not going to happen. So in those ten years very little at the state has happened yet in the last 12 months the county as you said, you noted has adopted their burn ban. The county and city adopted new diesel contracting standards and this is a great step forward to see our city and local governments taking action to protect the air quality in our neighborhoods. I'm heartened to see this action. I agree with the hopes and desires of people to see this as a first step toward a wider ban. It's also heartening for me not to have to spend a lot of time telling you why this is bad for air quality. You have so many people that can explain that to you. I'm excited to see the city taking the local action which is really what we need to see more of, improving health and well-being of Portland and making our neighborhoods places where our children can live joyfully and thrive. Thank you.

Wheeler: Thank you. Good afternoon.

Michael Hall, Quiet Clean PDX: Good afternoon. I'm michael hall. I'll be repeating some of what you've already heard because I have prepared this over the last couple of weeks. I'm on the board of friendly streets and i'm a member of quiet clean pdx. Those two organizations have been working in strategic partners for the last couple of years in a campaign to eliminate all gas leaf blowers everywhere. We're here to advocate for a transition away from gas leaf blowers at the city, county and state levels and for more about the damage they do to our environment and it our health please visit our website. Quietcleanpdx.org. Huge thanks to commissioner Fish, his staff and asena lawrence especially. We have been working with you for a year now and this is a great first step. We also want to thank county commissioner jessica vega-pederson and it was representative guyer who encouraged us to write a bill for the 2019 state legislature house bill 3350 would have eliminated all gas leaf blowers statewide and it got a hearing in the house energy and environment committee. Representative smith, warner and senators our gratitude extends to all supporters of our campaign. You may know that elimination of gas leaf blowers has become a national movement. Organizations such as quiet communities and american green zone alliance have helped us and others transition from gas to battery powered equipment and practical hand tools. Closer to home we have a growing list of supported posted on our website. We have been in conversation with the Portland public school board about policy changes there. Japanese gardens recently issues a position paper declaring they want to convert to electric blowers asap. Portland state university is transitioning to battery powered leaf blowers and the list goes on and on. We're over 170 municipalities and counties that have regulations to ban gas powered leaf blowers. They generate high levels of greenhouse gases, toxic emissions and dangerous particulate matter and extreme noise. The epa reports the noise causes hearing loss, increases stress

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and blood pressure, cognitive impairment of children. They are hazardous to all Portland residents, especially children, elderly and those with respiratory illnesses. The workers who use these tools are at the greatest risk. Quiet clean pdx has a lot of support for making the transition and we're allies with Portland's front line communities. I'm almost there. Thank you. I appreciate that. We subscribe to the environmental justice statement of opal which is environmental justice requires that all people regardless of race, color, national origin or income have the same degree of protection from environmental and health hazards. So eliminating gas leaf blowers is analogous to climbing a mountain. A long, tough scramble uphill and our thanks go out to Portland city council for helping us build a base camp and we look forward to working with you as we ascend the mountain together.

Wheeler: Thank you all three. Appreciate it. Next three, please.

Wheeler: Stan, I feel like we should give you a bulk discount or something. [laughter]

Stan Penkin: Mr. Mayor, robert said you have an office reserved for me?

Wheeler: I think we should.

Penkin: Full benefits and everything else. Good afternoon, mayor, commissioners. My name is stan pankin, a member of the quiet clean pdx team, chair of the pearl district neighborhood association, i'm a board member of neighbors west-northwest coalition and board secretary of friendly streets where this all started some two years ago. But I think I speak for people across all neighborhoods who are subjected to the incessant noise and toxicity of gas blowers and would like to see them go away. As you've already heard, and I think we all understand, gas leaf blowers are a danger to the environment and to the health and liveability of all Portlanders including those who operate them. Far too often without using the basic protections such as masks and ear plugs. I see that all the time. The time has come for us to transition away from this harmful equipment as so many other cities and municipalities have done across the nation and in other countries as well. Thanks to my dear friend and colleague michael hall who first raised this issue at friendly streets and to my devoted colleagues add quiet clean pdx who helped bring the issue forward. We have today reach a momentous occasion where we can begin to do something meaningful about gas leaf blowers. The resolution before you today is an important first step in the direction of acknowledging the harmful effects of gas leaf blowers and that we can indeed address it. While this is a significant step, we will still have many more steps to take on the journey to transition from gas to nongas powered alternatives. Such as electric and battery powered leaf blowers, electric leaf vacuums, leaf sweepers, mulching mowers and manual tools. Yes, rakes still exist. At all levels of government, city, county, state, and hopefully maybe federal someday. Thank you, commissioner Fish, for recognizing the urgency of taking action on this issue and to asena lawrence for her hard work in helping to research and draft this resolution that if passed today will make a bold statement that the city of Portland cares about our environment and all its residents and is willing to make innovative decisions for the betterment of everyone. I urge you all to please vote yes on this important step. Thank you.

Wheeler: Thank you. Good afternoon.

Michael Wallace: Hello. I'm michael wallace. I'm a member of the noise review board Portland's noise review board but here in a personal capacity this afternoon. I wholeheartedly support commissioner Fish's resolution. I hope that with this and other efforts we can eventually live in a quieter and more peaceful city. Noise is detrimental to individual and collective health and well-being. Street and park leaves and debris can be swept or raked instead of being blown from one property to another and back again. Let's have more brooms and rakes. Thank you.

Wheeler: Thank you. For the record I still own a rake. [laughter] good afternoon.

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Jess Tyler, Center for Biological Diversity: Good afternoon, commissioners, mayor. I'm jess tyler. I'm a Portland resident and I represent the center for biological diversity where i'm a pollinator researcher. I'm here on behalf of myself and our over 7,000 members in Portland to express support for this resolution. Gas powered leaf blowers have many negative effects. I want to highlight the negative impacts to urban wildlife especially insect pollinators. Many people don't realize urban areas including Portland are critical refuges for our pollinators because many gardens provide pesticide free habitat and flowers that feed bees. Here in Portland we have dozens of native bees but native bees are in steep decline around the nation and we must do what we can to protect them from extinction. Native bumblebees are right now hibernating for the winter and need litter around the city of Portland and when leaf material is removed bees can be killed. The excessive use of leaf blowers removes top soil and organic leaf material which provides essential winter nesting habitat for the majority of native bees. Encouraging more natural unmanaged landscape leaving the leaves provides nesting habitat and food for pollinators and many other soil invertebrates. Noise pollution from gas powered leaf blowers also is known to harm humans and wildlife. For birds it's known to damage hearing, increase stress response and alter for aging and other behaviors. City eco-systems are vitally important to many insects and birds because they can provide better food and nesting habitat. Several endangered butterflies rely on it entirely within cities. Portland sports a great diversity but their habitat is damaged. Gas powered leaf blowers especially release more nitrous oxide than cars and this type has been linked to vegetative community change which can decrease the amount of food plants for butterflies and pollinators. This resolution also supports Portland's climate action goals and is an important first step toward harm reduction. It demonstrates Portland's leadership on issues and I ask the commission to support this resolution. Thank you.

Wheeler: Thank you for that interesting perspective on this. Commissioner eudaly pushed us really hard during our 2035 central city planning process to expand the green roof ordinance that we have in place here at the city. I notice that a lot of developers are using those green roofs for pollinators. I had the opportunity -- some out of town guests here over thanksgiving we went down to the nines hotel. They had a great big honeycomb sitting there in the middle of the restaurant. I said, where did that come from? They said it came from the roof. They actually have an entire bee keeping operation up on the roof in order to expand pollinators and they also have a green roof and so there's something of a symbiotic relationship. That's really important to make that broader point that you made and I appreciate you being here to do it. Thank you all three of you. Commissioner Fritz.

Fritz: I want to thank you for all the interesting information, thank you all. Now instead of looking out and thinking I need to pick up those leaves, oh, i'm going to leave all that nice habitat for the bees. Thank you for giving me permission to stay inside.

Eudaly: I would like to say I have told pbot that I want to turn every property that we own that can't be used for road or otherwise developed into pollinator planting areas. They may think i'm kidding but i'm not. We should talk.

Wheeler: I think I know where you can get 7,000 volunteers. Thank you. Thanks all three of you. Stan, good seeing you again. Thank you for being here. Next three, please. If there's anyone else who wanted to testify if you could see Karla as well. Thank you.

Mary Sipe: Good afternoon. I almost said good morning. My name is mary sipe I hope I can get an office next to stan's. [laughter] since i'm here so often. I just want to commend the city for taking this step to reduce the greenhouse emissions and the air pollution and noise pollution. I think taking the lead is really important, and if the city can do it then I think private citizens can do it too. You all know me from my work with noise and my concerns over the years about the serious health hazards related to noise. This is kind of like a double whammy. It's noise pollution but it's also air pollution and we're kind of getting two

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birds with one stone by addressing this issue. It's interesting because I heard the words annoyance and nuisance used, and every time I hear that it bothers me because I think it minimizes how serious these issues are. It's more than annoyance and a nuisance, it's a health hazards and it's a double whammy health hazard. I really appreciate the testimony of the other people that came. One of the suggestions I would like to make is that the work group take the information on that slide presentation and use that to maybe create a campaign to start promoting voluntary transition to battery operated and electric blowers rather than having people wait until it becomes an ordinance. I think the bottom line is it's the right thing to do. Period. Thank you.

Wheeler: Well said. Thank you. Good afternoon, bob.

Bob Sallinger, Conservation Director Portland Audubon Society: Good afternoon, mayor, members of the city council. I'm bob solinger with the audubon society. We're here to support this resolution. We really appreciate the work of commissioner Fish and asena. For all the reasons, for human health, noise impacts, climate impacts, particulate matter this makes total sense and I would add to that disturbance factors when we use the really noisy leaf blowers in parks it has a wildlife impact if you're talking about breeding songbirds and birds that are passing through. We should be aware of those ecological impacts. I think the gentleman speaking last was alluding to the fact we shouldn't be afraid of messy parks either. That leaf litter has real ecological value. We need to be more comfortable with the idea of leaving things like that in our parks, part of the natural environment and we shouldn't be afraid of it. We don't want parks that are sterile. It adds value and there are places we could do less and gain more. We should be thinking about that. I would say sometimes there's a tendency to look at these things and say, you know, these problems are so big where are we focusing on something like leaf blowers. The testimony speaks to they are a big problem, not a small problem. They are a big problem. Even if not these small steps, this is how we get our hands around these huge ecological problems. Small steps and a lot of them. I go to restaurants now I see signs up saying if you want a catsup container or plastic fork or straw you have to ask for it and that's how we shift our culture. The fact you have to start thinking about your ecological impact, small and bigger things add up to the change we actually need. Thank you for your work on this.

Wheeler: Thank you.

Eudaly: Good day when bob comes and sings our praises.

Sallinger: I'll be back tomorrow. [laughter]

Wheeler: Good afternoon.

Daniel Luke: Good afternoon. I'm daniel luke. I'm a local inventor. So I guess by now the degradations of the leaf blower are fairly familiar to everyone. I want to add one thing to the list which is they are actually slow, and they are not all that great at blowing. I guess they are good at blowing leaves but not really good at collecting leaves, so that may be the default because the only alternative has been the regular rake, which also has certain issues and problems. So as an inventor I have worked to correct some of those issues and I just want to put it on people's radar that there is another option available as of now to the whole leaf blower dust-up. Which is a rake that is far more powerful than a regular rake, it's manual, incredibly affordable, it's durable. And you don't have to bend your back at all to use it. I'm really eager to show people in city government how it works. I have shown it to a few people. I think some people here that are present are familiar with what i'm talking about. I went to a park and demonstrated its use for a few minutes but anyway, I have also gone head-to-head with gas powered leaf blowers, the kind commercial crews use, and in every case it has not been a contest between my invention and the leaf blower. I have also done timed tests with me and my rake against leaf blowers in a lot of situations and it's probably not going to be believable but in each case I was able to beat the leaf blower. I cut the time in half in terms of raking a yard, getting a pile of leaves moved a certain

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distance. I'm not saying that leaf blowers don't have their use, I suppose they are good for blowing grass clippings off sidewalks but when it comes it actually blowing leaves, getting leaves moved from one place to another they are not all that effective compared to my rake. So it's called the rocket rake. It's a two-handled rake. The world has seen nothing like it to this point. It's incredibly effective and the people that have seen it would attest to the fact that it works incredibly well.

Wheeler: Excellent.

Fritz: I'm going to look into it. These blowers just blow. They don't actually collect the leaves. That's another reason for my amendment is if people realize they can blow them around on their own property but they are going to have to dispose of them themselves, the rocket rake?

Luke: Yes. Is there any way I could show anyone here.

Fritz: I'm going to look at it as soon as I get back to the office. Do you have it on the website?

Luke: I have it in my car. [laughter]

Fish: If you could leave your contact information with commissioner Fritz's office someone will get back to you.

Wheeler: She's going to put an offer out for 50% of your company.

Fritz: No, no -- I live in an area without leaf collection. It's me on the weekend every week for months picking up leaves. Any help would be very much appreciated.

Sipe: Could I say one more thing? Commissioner Fritz, you had a really good point about the blowing into the street because one of the things we call these leaf blowers but they blow lots of things besides leaves. Like in our neighborhood in the pearl district cigarette butts. What happens is they get blown with the leaves into the street and then they float into the storm drains. If you walk through the neighborhood and look at the storm drains you'll see hundreds of cigarette butts on their way into our rivers and streams and ocean.

Wheeler: Thanks to the pearl district and the neighborhood association and all the folks that worked hard on the problem. Thanks for your testimony. Thank you, bob. Good to see you again. Next three.

Moore-Love: That's all who signed up.

Fish: Any final words?

Wheeler: I think we're good to go. It's a resolution. Please call the roll.

Eudaly: Well, thank you commissioner Fritz, asena, your whole team. Very happy to support this. Even more excited to take it the next step further. Aye.

Fritz: Commissioner eudaly and I just -- class before this meeting. We had a discussion about the pros and cons of commission form of government. This is actually an example of one of the pros of the commission form of the government. When I was in charge of parks I took a run at asking them about getting gas powered leaf blowers and was told, oh, no, we can't do that. That's just not possible. So then new commissioner in charge of parks, new parks director, new approach, and lo and behold commissioner Fish has come up with something that parks staff has embraced. I'll make sure the water bureau does as well. I really appreciate it. It was a lot of enthusiasm on the council. Commissioner eudaly when I was listening about the neighborhood occurs to me I know that the office of community and civic life has a small program and there's already a component of equity in who gets those grants. It would be great to add the climate crisis being another of the criteria because it would be just great for the neighborhood to get city money to purchase one that the neighbors could share of the battery operated electric ones. Commissioner Fish, as you continue to work on this and asena it occurred to me the ones that the bureaus are going to get rid of we should make sure they are destroyed before they are disposed of. I'm thinking of guns and such so basically smashing off the plastic bits so if they ended up at a recycling shop or somebody might find them and think I'll take myself a nice free blower

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they can't use it, make sure we don't get into the situation like we do with diesel trucks because Oregon has lower standards than California and Washington that we get all their dirty leftovers. I'll personally volunteer to come smash them. Thank you very much to everybody who wrote in. There's a number of you took the time to come in today. Dozens and dozens of emails and telephone calls on this issue. It's really something I think a lot of people have found a minor irritation or a major irritation over time or huge annoyance over time but sometimes we think, oh, in the grand scheme of things perhaps I should get over my annoyance. This is a really big problem for our planet. Aye.

Fish: Well, I like to thank a number of people who helped get us here. Obviously our invited testimony, and our kitchen cabinet county commissioner Vega-Pederson, representative Alyssa Keny-Guyer, Michelle Crim and the Bureau of Sustainability. Michael Hall and QCP, a quiet, clean Portland, Mary Pavetto and Neighbors for Clean Air, Kelly Barnes, Cameron Stewart, Relay Resources, Asmani Ochoa, Stan Pankin, Bob Solinger and others. Thank you all for your extraordinary efforts to get us to this day. I would also like to give a special shout out to Sheila Pannion. Sheila was our summer policy intern last year and this year. Two summers ago she helped us shape our moonlighting policy and this past summer she delved deep into leaf blower research. We're grateful for her immense help. I would like to thank my two bureaus, Bureau of Environmental Services and the Parks Bureau for stepping up and accepting the challenge. City bureaus will demonstrate the efficacy of transitioning to electric and battery operated models and in the near future we descend to find a legal and equitable path to eliminate the use of gas powered leaf blowers in Portland. Thank you all for your efforts and a special thank you to Asena Lawrence who has handled this soup to nuts and done a superb job as always. I'm very proud to vote aye.

Wheeler: I'm very happy to support this resolution. I want to thank Commissioner Fish and Asena Lawrence and the diligent work of your team. I thought this was a fantastic presentation today. I actually love presentations like this where I feel like I'm walking out with a much deeper and richer understanding of the issue. I was prepared to support this to begin with but also hearing some of the statistics about the carbon output of gas powered leaf blowers compared to pickup trucks those are astounding statistics, and also to hear some of the broader perspectives we heard from the gentleman who is here supporting the pollinators, we heard about some of the perspectives about the importance of leaves. We heard from Mary and others about the physiological and public health impacts of these leaf blowers as well. I'm going to go with Bob on this who says this really is big. The reason it's big is because the city has to show the leadership here first. We cannot ask the private sector to take actions that we are not prepared to take ourselves. I see this as a very important and necessary first step. I also want to acknowledge our partners that Commissioner Fish had identified and asked to testify up front, Jessica Vega-Pederson, Multnomah County for their hard work particularly on the public health aspects of this and representative Keny-Guyer and her team and the efforts they are undertaking in Salem to seek broader support for these types of policies. But here around this rostrum it's our duty to act locally and responsibly and with a sense of urgency and I thank you again, Commissioner Fish, for bringing this resolution. I vote aye. The resolution is adopted.

Item 1124.

Wheeler: Colleagues, earlier this year I appointed six new members to the Portland committee on community engaged policing pcep. Amy Anderson, Vadim Mozyrsky, Marcia Perez, Steve Trueo, Elliott Young and Brittin Masback. I'm requesting that you approved -- I have lost my quorum. We'll take a recess. Elliott Young, Amy Anderson, Marcia Perez. Each has gone through a regular rouse selection proceeds including a written application, two interviews and various training in collaboration with the mental health alliance, Albina Ministerial Alliance, Coalition for Justice and Police Reform and Police

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bureau. These individuals bring with them their lived experiences as members of a marginalized community and their lived experience with mental or physical health issues. They also bring in a personal skills experience oning within and advocating for marginalized communities and experience utilizing social services in engaging in government processes. Throughout the past year pcccep has worked to create meaningful recommendations to bolster engagement and trust within the Portland police bureau. These have included partnering with researchers to determine effective scheduling practices as part of a holistic approach to officer wellness. Establishing a training program aimed at reducing stress and promoting officer resilience. Portland police bureau engagement of a wide range of communities regarding wellness practices including tribal councils in the Portland metro area. Establishing a truth and reconciliation working group to develop a plan to create a commission that's responsive to both the history and the current needs of Portland. After a year of working to achieve the desired outcomes of equitable policing which exceeds constitutional requirements and meaningful community engagement with and trust in Portland police bureau, the pcccep has functioned independently and as a body guided by the community. They have sought to obtain information from a variety of Portland community members and stakeholders to create greater access to information for the community. This is at the core of what pcccep does. They solicit information, create a platform for that to be disseminated and allow that information to guide their collective work as an autonomous body. With the support of city council pcccep will continue to grow their work to help cultivate the growth of trust and equity within the police bureau and build the community relationship. The members of the pcccep are Portland community members first and foremost. They are connected to the city and they are invested deeply in increased reciprocity, accountability and trust through their recommendations. Here with us are the pcccep project director and robert king, my senior policy advisor on public safety. They will introduce our newest pcccep members. Come on up. Welcome. Thank you for being here. Theo, I think you're starting us off. Is that correct?

Theo Latta, Project Director, Office of Equity and Human Rights: Yes, sir.

Wheeler: Very good.

Latta: I have a few prepared comments that i'll read from. It's an honor to be be with you. I'm a pcccep project director. Introduce myself because I never met you folks before but i'm a father to a boy named sage. I'm in business, i'm a researcher and I have the pleasure of introducing these fine humans to you although I have only been with the city for four months I have had the pleasure of working with these folks for the majority of those months. You'll have their bios in front of you so I won't read those. But it's important that you know how passionate these people are and how hard these volunteers work toward achieving more equitable policing. Aside from what you have in front of you they give their time and energy to improving the Portland community. Vadim is a meticulous, thorough secretary of pcccep. We continue to rely on his expertise in everything -- from the department of justice. His expertise. Elliott here is constantly aiming to improve pcccep. People look to him as an advocate. Britt is an impressive human. For all the accomplishments as youth subcommittee chair and high school student he facilitates meetings in a kind and inclusive manner which is a testament to his character. Steve has been constant that people depend on. He has a hand in the subcommittee meetings and speaks with honesty and integrity. Aprily asks tough questions and works hard. Marcia, who is out of the country, works permanently and professionally to improve the justice system especially -- I have the pleasure of working with robert and nicole all the time. Each of these people are important community members first as mayor wheeler stated who serve on pcccep because they believe right minded people can change our community for the better. I invite you and encourage you all to come to our subcommittee meetings or the body meetings open to all. Like I said I have haven't been here very long but one of the

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more striking questions I have heard throughout my time has been who is accountable at pcccp, we often collaborate with an array of interested parties. We're accountable to our community. I think I can speak for pcccp in saying that. Thank you for having us. I know that all pcccp members and staff would like to work with you all in the future. Thank you. If you all have questions for me I would be happy to answer, questions for these wonderful humans i'm sure they would do the same.

Amy Anderson: First of all, I want to say thank you for giving me this opportunity to put another notch on my cap of all the different committees I have been on in the 22 years I have been serving our community. Next year will be 23 years with Multnomah county sheriff's department and amanda Fritz, thank you for that opportunity with pccod, all those years ago, i'm hoping that my work on this group will be just as enthusiastic as it was then and as it continues to be now. That i'm actually working for my community. So thank you all for this opportunity and I will serve you until my time is up. Thank you.

Fritz: Thank you for your ongoing dedication to doing the right thing in our community and many, many years volunteering. I'm really glad to know we're finally paying you. Special thanks for stepping up for this additional volunteer opportunity.

Anderson: Thank you.

Wheeler: I have one question. When we all went before judge simon recently in the context of the settlement agreement, wanting to come into what's called legally substantial compliance with the settlement agreement, the concern that he expressed, he liked the people on pcccp and he liked the agenda being pursued by pcccp. I believe although I didn't specifically ask him that he was convinced that pcccp has adequate independence. There was a lot of suspicion initially that somehow I was going to pull springs and I think all you need to do is look at twitter feeds and see the independence is clearly there. But what he wasn't persuaded by was that we have done enough to really encourage broader public participation. So I know that precipitated some conversations amongst pcccp members and the committee as a whole. I'm wondering if you have thought about that, whether you have a sense of how we might further engage the community, how we might improve more participation in the community with the work, the important work that is being done by the members of pcccp.

Anderson: If you're asking me directly I think at this point in time I have enough experience in that world of trying to get people to come to a meeting and participate and belong, and what I have seen over the years is folks have felt that their voice doesn't land anywhere. It comes in but they can't really see where it becomes real. So what I learned to do on the Multnomah county mental health committee that I chaired for seven years was explain to folks that all the programs that we operate throughout the county and the city, the things that people come up with are within those plans. Within strategic planning, within the operations of the programs, it's just not spelled out that this individual gave that input and here it becomes functioning. People need to know that their words matter, and that they can see it become something. That's kind of the attachment I have seen that folks really want to know that all this time and energy is going to end up producing better results for them. That's my personal take on getting people. The other thing is advertising. We don't do it early enough and often enough. Okay. Then there's child care, there's transportation, there's commitments that people have. So we at the various groups i'm on have decided to go with multiple formats of input where you have access to the internet, to writing, you have access to being publicly there. So I don't see many other opportunities. If people want to participate we just need to let them know these are the ways your voice and your thoughts will be taken into consideration for future movement to your office. This is my personal take.

Wheeler: Great feedback.

Anderson: I'll let the other members chime in.

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Britton Masback: That makes sense, amy. One thing we are thinking about how can we get more youth to the table coming to our meeting but also how can we go to where this work is actually happening. We're trying to go to events led by other young people, go to other youth groups and talk about how we can help with the work they are already doing. The work is already happening so we're not always trying to make new work, we're trying to make sure it's efficient and the resources that we have. That's one thing we're trying to make an effort of doing as a youth subcommittee going to other youth events and groups and being part of their work.

Wheeler: Thank you.

Latta: The youth subcommittee is also in the process of designing and disseminating a survey throughout schools which I think will be incredible in obtaining information and engagement. I think that people coming to meetings isn't necessarily the most powerful barometer of measuring engagement and community buy-in but the survey will be really great for more buy-in and brit could talk more about that.

Wheeler: You're on to something and I agree with you that find ways to reach out to people. People are busy. They have a million things to do. Having attended the meetings I think they are great. There's some smart people around that table and the conversations run deep and people don't seem like they are editing themselves. It seems like people are being really based in truth and experience, and the dialogue is always a healthy one. So reaching out through other affiliations, other community groups trying to -- the idea of a survey of youth is a terrific idea. Great. Any other questions?

Elliot Young: I would just add that I think a lot of our meetings have been reporting and having information sessions and I think when we move on to making recommendations and taking more action is when the community can see more of a stake in what we're doing because frankly, the people who come are oftentimes the activists who do know and are well aware of the issues. So we're rehearsing them, discussing them for each other but I think that as we move on and it's taken pcccp a year of getting going and finally now I feel like pcccp is ready to take on some recommendations, not only about the settlement agreement which is central but exceeding beyond the constitutional and legal parameters moving to issues which we have talked about about discriminatory policing, targeting policing, about Portland street response which I think many of us are very encouraged by the city council approved the pilot project for. So i'm hopeful that we can move from listening to doing.

Wheeler: Great.

Steve Trujillo: Thank you. I do want to echo what you said, mayor, that our task is twofold, not only to receive information from the public but actually go out and get that information ourselves and to assist the police bureau in formatting their outreach plan and to that respect we had a conversation yesterday with compliance officer as to ways where we can better be more effective in doing that and reaching out to where people gather whether it be in the neighborhoods and houses of worship, in meetings that are held out there, breaking bread, breaking barriers, those sort of organizations to spread the word, get information and ask them to come and provide testimony themselves in person. That's our long term plan as well.

Wheeler: Very good. Could I ask one more question then i'll stop? I shouldn't be asking my own panel questions but I can't miss the opportunity. Do you feel that there is adequate opportunity for the police bureau to have their experience and their concerns vetted on pcccp? Do you believe that perspective is getting through and do you believe the interaction with the police bureau is sufficient or should there be something more done there?

Young: Well, the police are representatives at all of our meetings. The full body meetings. We have had subcommittee meetings specifically with the gvr team, so I think there's a lot

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of communication with official police bureau. The one area I think we could improve upon is the charge requires the police bureau to provide data to pcccp and that has not currently happened. There's publicly available data but i'm talking about the raw data, data that the city auditor has asked for in the 2018 report and followed up. So that's something that i'm particularly concerned about. That we get this data so that we ourselves could analyze it and have an informed nonanecdotal but really informed opinion and view on what's going on in the city with policing.

Wheeler: Could you and I have a follow-on conversation about that, robert? Thank you. Great. Thank you. Any further questions? Thoughts? Very good. Call the roll. Actually I need a motion. It's a report.

Fish: So moved.

Eudaly: Second.

Wheeler: Please call the roll.

Eudaly: Thank you, everyone, for your willingness to give your time to pcccp. I am sure it will be worthwhile but I know it's also going to be very challenging. I admire your courage and fortitude. I vote aye.

Fritz: Thank you very much for putting in a lot of time already and being willing to be appointed and actually serve. Thank you. Aye.

Fish: Thank you for your service. I think this is among the most challenging assignments that the city can ask someone to accept. You're heading into a contract negotiation period. We are launching a number of experiments trying to do some things differently. It's very important for the success of our work that pcccp be high functioning and feel that they can on a regular basis interact with the council and propose reforms and ideas. It makes your service all the more important. Thank you for that. Aye.

Wheeler: Yes, I want to just reiterate any time you feel that you need more or different communication with my office, it would be my expect takes you would not hesitate to let me know that or let robert know that as in I liaison. I also want it thank you for your service. This is a very, very important committee and it is a challenging subject. It runs deep, there's a lot of history behind it, a lot of emotion behind it. My observation over the last year plus has been that this committee has dealt with difficult policing issues responsibly and with dignity and honesty and integrity and i'm really grateful for what you have done and your interesting in continuing to serve. I thank you those of you who are new. I hope you find it's fun. There's a lot of good things that are happening in that room. I want to continue to encourage it in any way I can. I vote aye. The report is accepted. The appointments are approved. Thank you. We're adjourned.

Council recessed at 3:23 p.m.

This file was produced through the closed captioning process for the televised City Council broadcast and should not be considered a verbatim transcript.

Key: *** means unidentified speaker.**

December 5, 2019 2:00 p.m.

Wheeler: This is the thursday, december 5, 2019 afternoon session of the Portland city council. Karla, could you please call the roll.

Eudaly: Here. **Fritz:** Here. **Wheeler:** Here.

Robert Taylor, Chief Deputy City Attorney: Hello, mayor. Welcome to the Portland city council. The city council meets to do the city's business. The presiding officer preserves order and decorum so everyone can feel welcome, comfortable, respected and safe. To participate in 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 on resolutions or first readings of ordinances. Your testimony should address the matter being considered at the time. If not you may be ruled out of order. Please state your name for the record. Your address is not necessary. Please disclose if you're a lobbyist. If you're representing an organization please identify it. The presiding officer determines length of testimony. Individuals generally have three minutes 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 and would like to show support for something said please feel free to do thumbs up. If you want to express that you do not support something feel free to do thumbs down. Please remain seated in council chambers unless entering or exiting. If you are filming the proceedings please do not use bright lights or disrupt the meeting. Disruptive conduct will not be allowed. If there are disruptions a warning will be given that further disruption may result in the person being ejected for the remainder of the meeting. After being ejected 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: Thank you. Just a housekeeping item for those of you waiting for 1127 or 1128, which are time certain at 4:00 p.m., both will be moved. I don't think there's anyone here for that but just in case i'll make that announcement later. Karla, first 1125. Could you please read that.

Item 1125.

Wheeler: Commissioner eudaly.

Eudaly: Thank you, mayor. Southwest in motion is a near term prioritization refinement and implementation strategy for planned active transportation investments in southwest Portland. The final plan identifies realistic short term action plan providing basic walking and bicycling infrastructure where it's needed most. Here to walk us through the plan and answer your questions is senior transportation planner nick falbo. There's nick. Welcome, nick. Please.

Nick Falbo, Senior Transportation Planner, Bureau of Transportation: Thank you. Thank you for your time.

Wheeler: Thanks for being here.

Falbo: Southwest in motion is a short-term action plan for improving walking and biking in southwest Portland. The draft recommendations suggest small changes that we think have big impacts that can incrementally build upon southwest Portland streets. The plan itself is known as swim, southwest in motion, swim. You may hear that from some of the public

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testimony. This is what they are talking about. The plan before you today is an implementing plan for city-wide pedestrian and bicycle master plans. These documents make bold proclamations and vision statements calling walking a fundamental human right and stating all Portlanders should have equal access to the benefits of bicycling. Parts of Portland live up to these statements today but this vision has not been realized in other parts of our city such as east Portland and southwest Portland. Our commitment obligates us to address these and this plan is designed to help make this happen. It's easy to see the deficiencies in our system on the map of sidewalk presence across the city. Burgundy shows where no sidewalk is present on either side of the street largely in east and southwest Portland. It's solving this problem that the plan is all about. Because of the scale of the problem and the cost involved are huge. We won't be getting sidewalks on all of the collector and arterial streets in southwest Portland in any short amount of time. We need creative solutions. The plan recommends bare bones infrastructure to bring about walking and biking infrastructure and identifies pragmatic challenges to these problems. This is part of a suite of in motion planning efforts allowing for deep understanding of local challenges, strategies and solutions to address those issues. You're probably familiar with central city in motion recently adopted by city council. This builds upon successful east Portland in motion adopted back in 2011 that prioritized walking and biking investments to meet their needs and we have expanded that framework into other parts of town. In southwest in motion they merged from a need to address significant geographic and historical barriers to walking and biking in southwest. To leverage bes funds and prioritize pedestrians vision seers and safe routes to school projects. The area lacks cohesive vision and implemental network and this plan hopes to provide that. The plan itself provides recommends priority short term projects. It identifies short term crossing enhancements to make safe routes to school and biking saverrer. It identifies key programs to support community initiated projects in southwest and identifies policy initiatives to advance walking and biking in the area. This short term plan, though, has long term aspirations. The city of Portland has bold goals to increase the rates of walking and biking and transit city-wide. By 2035 we'll have a city-wide starting of trips, nondriving trips. But we can't expect changes in behavior or safety without making changes to our streets. Fully implementing southwest in motion will not achieve these bold targets in southwest Portland. Our targets are 20-year goal and our plan is short term but it's important for setting the trajectory for where we will head. This is only one piece of the puzzle. This is in combination with electro mobility as well as implementation of southwest corridor light-rail and centers and corridors around those transportation investments. The planning process started with the recommendations from our past city-wide plans from bicycle master plan, from ped pdx, from safe routes to school. These past plans informed our list and unlocked new tools and ideas for us to use when planning in southwest. Updates to the transportation system plan allowed us to install sidewalks on one side of a street instead of trying to build on both everywhere and ped pdx gave us new tools to consider as we implement projects on streets that maybe don't even need sidewalks. Public engagement helped narrow down this list into the list we recommend today. The public engagement for the plan used a full suite of times and techniques including on going stakeholder working group meetings, online mapping, surveys and online engagement. We met with advisory committees to verify use of our alternative design standards. We go the closest with our focus groups. We met with housing residents at stephens creek crossing, somali families and international students attending pccc-sylvania. The engagement was about setting priorities. Top priorities ranked in the surveys included safety focusing on locations with high rate of crashes and documented safety concerns, future demands, finding locations where there's high concentrations of people and activity. Looked at the network role of all of the links to prioritize interconnected streets that connected our town centers and

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regional destinations to one another. We focused on equity serving our underserved communities in southwest, building on the pbot equity matrix. Sidewalks, neighborhoods greenways and like lanes. These are important facilities across all of Portland and are important in southwest as well. The plan also recommends more innovative facility types. Knew ideas and innovative solutions to be used in geographically and financially constrained areas. The diagram illustrates a pedestrian shared street designed to be so calm and quiet that cars are guests and pedestrians are welcome to take over the street. We recommend this on streets including southwest berthoud boulevard where it's a critical link to the trail. Another example of an alternative walkway we call a safer shoulder. This is widened on the edge of a roadway designed as places for people to walk and in some cases perhaps bike. On busy streets a physical barrier provides protection such as similar to what you see on some our protected bike lanes today. We recommend this facility where sidewalks are challenging to implement on markham hill road and boone's ferry road among others. While these are new ideas we have already experimented with them in southwest Portland. We have shared streets on southwest 19th and safer shoulders on southwest capital highway. We'll take the lessons we learned from these efforts as we can neighborhood use elsewhere. By using these new tools we can dramatically expand our walking and biking network in southwest. Create a connected network that is key to unlocking the possibilities of active transportation for more people. We have 49 top tier projects ranging a full gamut of facility types. Where possible it supports both biking and walking. On the right you see expanded network southwest in motion is recommending. The plan describes what we call planning level project concepts. These are scopes with general information about the facility type, extent of the project, basic design elements but we have not answered any question. Final details for every project such as full dimensions, which side of the road the facility may be on, separation between users will be decided on implementation. There are questions left and while we have the idea we need to get into the details. That will be done in combination with public involvement and close communication with community members. A key piece of the plan is working with our other bureaus, working closely with the bureau of environmental services we can do more with less. In particular safer shoulders is an opportunity, a good illustration of potential partnership projects where bes has an interest in improving roadside drainage and water quality and we have an interest in improving safety and walkability. We can collaborate so that we can reduce costs for both bureaus, create a more effective end product and do that with only ripping up the road once in one construction phase. This is an example of southwest 19th avenue. What it looked like before in the upper left corner and what it looked like after as a joint solution working with bes to establish a pedestrian shared street and pedestrian only connection where there used to be unimproved roadway. Together these bureaus can reduce risk, improve safety in a cost effective manner. The plan also celebrates our partnerships with community groups. It encourage participation in our Portland in the streets community led programs specifically Portland pathways, a new streamlined process to implement trail connections. We value and appreciate the great work of southwest trails, these informal connections can bring great value to communities and pbot has worked hard to create a lower barrier to entry in making these projects real on the ground. Like many plans, this plan is unfunded. It doesn't directly reallocate resources within the bureau. It's designed to work with ongoing funding streams and implementation pipelines including fixing streets and ongoing discussions about the transportation system development charges, local transportation improvement charge as well as ongoing quick build network. These are lower cost projects that can be done with lower cost funding sources. But really it's about the future. This plan guides project selection for future funding sources. We can anticipate but we don't guarantee these future funding sources. These are things like fixing our streets, renewing the gas tax or the 2020

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transportation measure. We need these funding sources to make southwest in motion a reality and we're already referring to the draft plan as we have conversations internally to try to program those future funding sources. In closing, the plan offers pragmatic solutions to hard challenges, creates a list of rightsize projects adapted to the unique challenges of area and primes us for future funding. Your vote today can give us the direction to pursue these projects and recommendations with confidence. We look forward to continuing to work with our community members and bureau partners to make this a reality. Thank you.

Wheeler: Thanks, nick. Could I ask you a question on slide 7?

Falbo: Absolutely.

Wheeler: It's just a question about the data. Where people taking transit is expected to increase fairly dramatically over the course of the time frame. What assumptions are behind that?

Falbo: The core assumption has to do with southwest corridor light-rail. This is the extension of our high capacity high frequency transit network to get max light-rail down barbur boulevard as the core connecting spine in southwest Portland.

Wheeler: Thank you. Commissioner Fritz, did you have a question?

Fritz: How did you consider where multifamily housing is zoned or built in looking at where to prioritize the projects?

Falbo: With our prioritization on demand sort of level of anticipated activity, it heavily prioritized those areas with high concentrations of population, high density housing, largely focused in our town center areas. Those planning frameworks areas like that get prioritized heavily when looking at what helps create the strongest network.

Fritz: I'm looking at page 35, the map of the top tier projects. The one along southwest 35th instead of continuing along southwest 35th where it turns around and goes on taylor's ferry which is where multifamily housing is then goes through the neighborhood. Did you look at the better housing by design infill project and where planning is intending to add more housing? Was that considered?

Falbo: We did not specifically look at the better housing by design developments. I can tell you specifically about this link where it travels through the neighborhood. It was more about this idea of cost effectively connecting neighborhoods. This connection from 35th to taylor's ferry today we could build a neighborhood greenway connection for only a fraction of the cost of what improvements along taylor's ferry would cost. This doesn't take away the need for improvements on taylor's ferry but prioritizes how we can connect people in a cost effective manner.

Fritz: That's where the multifamily housing is. There isn't a sidewalk to connect the multifamily housing with any other sidewalks that would get you to the frequent transit.

*******:** That's definitely a challenge in southwest as part of development review we expect sidewalk review to be built close to that but you're right, it's a huge gap. This plan does not recommend tremendous lengths of sidewalks because we haven't frankly been particularly effective at identifying the amount of funds necessary to build those links. This could be a candidate for a safer shoulder treatment and maybe there's a way of providing a connection in collaboration with other bureaus.

Fritz: I would like to see that. I didn't see it on the safer shoulder list either. The other concern is around gabriel park and southwest community center. You have a project that has walking and bicycling improvements going towards beaverton hillsdale highway that doesn't connect to beaverton hillsdale highway and there's no connection to the south, which is where more of the low-income housing in southwest is. So there's no way for people to walk from the west Portland town center to get gabriel park.

Falbo: Yes, that project actually is one of the first projects to have been built. It's a new bike lane connection. 45th avenue near gabriel park?

Fritz: Yes.

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Falbo: That has been striped a few weeks ago. We have a new bike lane connection which connects from our established bikeway connection to the north to the community center in gabriel park.

Fritz: I'm talking to the south.

Falbo: Correct. We had to make a lot of compromises. This is not a master plan. Ped pdx our master plan identifies taylor's ferry and 45th as routes in need of pedestrian walkways and have been prioritized as part of that project. They did not rise to the top as highest priority to the degree possible recommendations in this plan have meant to be aligned with the recommendations of ped pdx.

Fritz: How did that consider equity?

Falbo: Pdx?

Fritz: Any of this planning. How did the needs of the folks living in the multifamily buildings, in the west town center factor into weighting of these projects and where those folks need to get to?

Falbo: Equity was factored into prioritization as enhancement of the current pbot equity matrix which looks at english language and poverty and race to identify which areas should be prioritized for investment. We enhanced that in southwest in motion trying to look at a finer grain to look at where more density is located. We also enhanced it to try to look at where people with disabilities are. That was used to score some areas higher than others. It does identify core zones, more prioritization. Some of these links between areas maybe don't score as highly. That section of 45th for example doesn't have much development along it.

Fritz: What's the purpose of having this rp07? It doesn't seem to connect to anything. What's the purpose of improvements that don't connect to anything?

Falbo: It connects actually to neighborhood greenways that exist on illinois street as well as some future planned neighborhood greenways to the north on pendleton. It does provide a connection from the neighborhoods to the north down to the community center.

Fritz: But not to beaverton hillsdale, Multnomah boulevard or anything else.

Falbo: It gets to a dead end. It's through the neighborhood that most of the residents there travel and connect to destinations.

Fritz: Thank you.

Wheeler: Excellent. Very good.

Eudaly: Thank you, mayor. I think we go right to public comment. Do we have invited testimony?

Falbo: We have three members of the public that we would like to invite up.

Eudaly: Sorry, I should have flipped to the first page. We have david stein, katherine christensen and leah saffron. If you could come to the table. Welcome. And make sure and state your name for the record before you begin.

Wheeler: Thanks for being here.

David Stein: Thank you. I'll kick this off. I'm david stein. I'm here on behalf of the Portland bicycle advisory committee, i'm vice chairperson. Thank you, mayor, commissioner Fritz, commissioner eudaly. Thank you, nick, for the presentation and the invitation. Want to start by just asking you to adopt this plan. There's a lot in here. This is certainly not perfect. I'm sure we will talk a lot about that, but it provides a good framework and provides policies that the community can lean on to help fix a lot of the structural issues in our transportation network. And one of those notes is please in implementing this, I want to make sure that we don't pit people on bicycles against people on foot as we're implementing many of these projects because as we're talking about safer shoulders and advisory shoulders, we haven't done it before and it's very easy to go back to just favoring autos, which is not something that I think is in any of our plans. So to start, we have a long history of missed opportunities which is part of why this is so important. When I was chair of the

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neighborhood association we saw many developments planned and some that we thought partially on transportation. With one of them at hamilton and 58th there's a lot that was split and it triggered frontage improvements. What normally would have been required would have been a sidewalk, bike lane and two standard lanes already there. Instead that was trimmed to a four foot shoulder. It was later increased to a six foot shoulder but it's also a shoulder that connects to nowhere. Connects nothing. Fast forward a couple of years to last year, and another development effectively 59th and hamilton came to life. It came before pbob and they actually recommended that sidewalks and bike lanes be installed on the other side of the street. The neighborhood association appealed to pbob to please make frontage improvements on the other side and we got nowhere. It also got downgraded to a shoulder instead of any kind of sidewalk. Any kind of protected infrastructure. There are policies within swim that allow for more framework to help push back and to help appeal to this because as a result now we have probably couple dozen older trees that have been completely removed for a shoulder that connects to nothing and you can just look across the street and see the other shoulder that it would connect to. Another missed opportunity is one from bes. With hamilton swales. Half of the swales project in southwest Portland where they are trying out something new. So they used a bunch of sandbags and extended the shoulder as a result so we have a four foot shoulder now on one side of hamilton. Unfortunately, they didn't quite finish the connection so there's about 30 feet between the end of the shoulder and where a sidewalk picks up. The corner of I believe 47th and hamilton. We noted this in all the plans and we got in touch with bes and asked, is there anything we can do? Can you talk to pbob? Throughout the whole process and even after it was installed we didn't get it. Now as a result it's bp43 within swim to install a sidewalk infill because a project that was done three years ago wasn't totally done. So I want to move now to some -- my kids. There are some transportation episodes with my kids. A few months ago, a week before this was first supposed go before council, I walked my daughter to school. We were on the safe route to school. It's a straight shot, a few blocks. There are no sidewalks, no shoulders, no curbs. There's just cars. And they travel fast, which is why two new speed bumps got built over the summer. As we were crossing hamilton with some flaggers the person who stopped, driving a car, rolled down their window and said, I really can't see you. There's too much glare because at that time of year the glare on hamilton is quite bad. We really should remove this crosswalk because it isn't safe. That's the kind of mentality in southwest. Very auto centric because people don't walk. People don't bike. My family is an abnormality. I bike commute every day. We walk our daughter to school. I bike with my son to school. To his pre-k. Every day when I bike with him to pre-k, he's on the tag-along and we're on beaverton hillsdale highway where for over two years we have waited for the implementation of the funded beaverton hills day highway demonstration project which was one of the first announced in fixing our streets. I mention this because i'm going to later ask for funding. Funding is not enough because we have to actually build these things. We can have all the money in the world and it sounds like to a degree pbob has more funding than they have had in the past but without this infrastructure on the ground the fact that this project is funded and has been funded doesn't help people crossing at 35th on beaverton hillsdale on a crosswalk that's supposed to be there. It doesn't help people walking and biking from 30th to 39th because it's not there. It's just paint. I have a little prop here. This is one of the plastic wands installed a few months ago. Probably more recently than that. In july there's evidently a quick build project that went in between 1824 and 30th. As a result a whole bunch of these plastic wands were installed. About three dozen have been knocked over, destroyed and left either in a ditch or in the bike lane. This one came from a bike lane. A lot of what's in swim is just this. Or it's paint. It's inexpensive but it shouldn't necessarily be the end game. So one of my asks to you is beyond funding

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swim or the projects in swim and getting them implemented also going back and giving the tools and resources so that if something isn't working, is not providing the protection and the safe travels that were intended, making sure there's the ability to go back and upgrade it so people can actually feel safe because right now the reason why people don't walk is because they have the choice to just drive their car. We want to get them walking. We want to get them biking. There's a lot of potential in southwest because no one -- very few people do either. I just encourage you very much to please fund this project, work to get it implemented and don't let this be just like the bike plan where my grandkids will be lucky to see it finished. I really want to see this finished before my kids are out of high school. They are four and six. Thank you so much.

Wheeler: Thank you.

Eudaly: Welcome.

Katherine Christensen: Hello, i'm katherine christensen. Thank you for the opportunity to share with you today. I'm speaking to you as a southwest neighborhood volunteer. I'm a transportation chair and i'm active on the sweeney board. I want to tell you how much I appreciate working with pbot on swim. Transportation is about infrastructure. We needed to identify a priority network and secondary roads to connect southwest Portland in a north, south, and east-west direction and find the most cost effective means and we did that with swim. I want to share some numbers. In the 2035 comp plan the goals for Portland are to get to 75% of our commute trips without vehicles in 2035. That's just 15 years from now. At the moment we are at about 7% with pedestrian and bicycling. The goal is to get to three times that many up to almost 25%. When I added up all of the funding that is being proposed as part of the swim project there's only \$50 million to get three times as much bicycling and walking in Portland whereas I look at what roads cost the city, what public transportation costs the city, those are in the billions. The numbers really are not even that much of an increase as there is the goal for pedestrian and bicycling to be accomplished during that time frame. We have the added benefits with swim of living a healthier life-style, meeting the clean air quality goals and noise ordinances in our city. Currently if you don't have a car in southwest Portland you're housebound. Walking and riding on the fog line isn't safe for anyone, only people who own cars can live and work here. The state of southwest Portland roads makes it impossible to achieve equity and inclusion. My family was quite fortunate in that we actually have an electric car and more importantly two electric bikes. We are the future. Seattle with its similar topography to southwest Portland has bikes buzzing around everywhere and many are shared. Getting around traffic and reducing traffic jams a active transportation leverages are very expensive streets for trips that cannot be done otherwise. We don't need more roads. We need swim. The recommended facilities developed and used by swim for southwest Portland enable safer walking and biking for short term projects in the interim or partial implementation of longer and major projects. Some projects can be implemented with as little as \$5,000 while others need more funding. Existing sources, collaborative and matching funds from other agencies such as the bes and future funding sources like gas taxes and -- need to be explored and solidified so swim projects can be financed. Swim needs committed funding. Needs an implementation strategy. These are critical to be completed now. We cannot wait. People are pouring into the neighborhoods and jamming up the roads. We need everyone to be able to get to commute without a car. Thank you.

Eudaly: Thank you.

Wheeler: Appreciate it. Good afternoon.

Leah Safran: Good afternoon, mayor, commissioners, thank you for allowing me to speak today. I'm leah saffron, a member of the jewish community in southwest Portland in the hillside neighborhood where the largest population of affiliated jews live it's Oregon's only jewish neighborhood. After the original was raised as part of a massive urban renewal

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project to clear so-called troubled area and make way for the 405 freeway, hi-rises and parking the community was compelled to move to a new neighborhood. The move came at great expense and sacrifice but since then the initial seeds of community, planted in a concentrated area of southwest Portland, have grown into a thriving infrastructure of organizations including the bustling jcc, six synagogues, study center, various jewish nonprofits including a construction company building tiny homes for the unhoused, kosher restaurants, youth groups, three preschools and two k through 8 schools. This is our home and we are here to stay. I'm a member of the orthodox jewish community, a subset of the larger community which includes some 200 families and growing who intentionally live within walking distance of all of this jewish communal infrastructure. We live here so we can learn together, celebrate the sabbath and hebrew holidays collectively and share meals in each other's homes. Being a pedestrian is integral to our unique way of life. Each week on shabbat for 25 hours and a number of recurring holidays which can last up to 73 consecutive hours we do not travel or ride in any motor vehicle. We're prohibited from carrying cellphones or pushing the buttons on crosswalks. It's part of a tradition dating back some 3500 years. We have no choice but to walk. Adequate pedestrian structures are all critical in maintaining our community cohesion and safety. Unfortunately throughout our neighborhood our safety is compromised at countless locations from Multnomah village north to beaverton hillsdale highway into beaverton. In many places this involves fast high traffic roads with no sidewalks, shoulders or safe crossings. While we thankfully have seen great improvements in certain areas like the sidewalks across southwest vermont there are considerable gaps. Although we map out the safest routes possible often there's no getting around the dangers like the intersection of southwest capital and southwest vermont in the heart of the jewish community and only steps from the largest orthodox synagogue in Oregon. A critical part of this provides a safe place for pedestrians to wait to cross nor a signal nor even a crossing. This extremely dangerous intersection divides the community geographically in two. Its nonsensical design, generations old remnant of the historic streetcar, requires community members, often families with many very young children and elderly, to risk their lives each time they have to dash across it. As part of the southwest in motion plan pbot met with jewish community members to assess their needs and specifically address this intersection along with many other unsafe areas in the neighborhood and has recommended solutions to make it safer in the near term and permanently. Upgrades would greatly help the jewish community perfectly overlap with the needs of the broader community in the southwest. When you consider the needs of a community likes ours you support everyone. Safety for the jewish community along with history of civic engagement which includes five Portland mayors drawn from our community is not only about walking about our neighborhood. In raising hostilities we are also exposed to other threats which make us feel even more acutely the need to be secure in our neighborhood. Adopting the plan before you would the not only support the jewish community and every resident of southwest Portland but allow us to be safer and to flourish. Thank you.

Wheeler: Thanks all three of you. Appreciate it.

Eudaly: That is all for our invited testimony. Mayor, I just want to mention that before we take a vote I need to propose a substitute for exhibit a. I'm going to call nick back up to explain that. We could do it now or --

Wheeler: Let's do it now so we don't forget.

Eudaly: This is a subject for exhibit a.

Falbo: This has been updated since we filed the docs to include appendix d, about implementation, to try to further collect the information and put it in an easy to track format to make it easier to do future monitoring of the plan into coming years so we can keep ourselves honest and committed to making this happen.

Fritz: Second.

Eudaly: Thank you. I'm very much in support of that. I thank everyone for coming today. I know there was some disappointment that this item was pulled previously. I like to be really very well briefed on these items and I like to make sure that my office has done their due diligence with community outreach. Because of the timing when it came I wasn't able to achieve that so we had to postpone it. In the meantime we have made it better. This is very timely because we are currently dealing with important things that keep falling through the cracks. Anything to keep us accountable, better accountability is a good thing.

Wheeler: We have --

Fritz: Could you come back to the mike, please? Since this wasn't attached to the council's agenda will it be posted on the transportation website or where can people find this?

Falbo: The update is live online and actually should be in the package that you all have received.

Fritz: How would people find where to look?

Falbo: Our project website has been same site for the duration of the plan. It's there.

Fritz: Portland online, go to transportation --

Falbo: Transportation.gov/swim.

Wheeler: We have a motion for the substitute, moved by commissioner eudaly, seconded by commissioner Fritz.

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

Wheeler: Aye. Substitute is on the table. Public testimony.

Moore-Love: We have 11.

Wheeler: Very good. Name for the record. Microphones move around. About six inches from your mouth is the right distance. When you hear the buzzer go off after three minutes if you could wrap it up please.

Ryan Bass: Good afternoon. I'm ryan bass here to say I support this southwest in motion plan and ask that the city please adopt the plan and fully fund the plan as soon as possible. I'm here as a representative of the neighborhood association. I have been authorized to share the board's support. I walk my kids to school every day and accept risk due to the lack of sidewalks on our local collector streets, southwest shattuck and southwest hamilton. I used to take the bus every day. I stopped partly I don't want to worry they get hit by a car. It's dangerous right there. I'm fortunate enough to have a choice. Now unfortunately i'm another car on the road. I want to take the bus to work. Feel safe doing so. I don't want to continue experiencing the daily anxiety I feel walking my kids to school, so I ask please give me and others hope that things will get better by adopting this plan. The projects are strategic, they will have significant return on investment in terms of supporting active transportation in southwest Portland. One of the projects addresses adding a sidewalk to a one-block stretch of southwest shattuck road crossing fanno creek. There are ways to get to beaverton hillside because of the creek so they are spaced apart five to eight blocks. Shattuck is one of them. You have to walk in a space about this narrow and not fall into the creek to get there. That project would allow safe transit for many households. Another project is three blocks of sidewalk on southwest hamilton. It would unlock safe access to the elementary school for a lot of kids. Had I known that some projects on southwest hamilton and shattuck road would have a transformational effect for our residents, myself included. Looking at the plans sometimes it seems like there's little pieces don't go anywhere like they are not connecting anything but they really are because when you're on the ground walking you know how you can sneak through other areas and some you can't. Some of those tiny spots are actually really valuable. Thank you for taking the time to listen.

Wheeler: Thank you.

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John Gibbon: I'm John Gibbon. I'm the Markham Transportation Chair and I'm also active on the Sweeney Board, have been testifying before City Council I think since 1976. So it's good to be back again. I'm here to speak in support of SWIM although there are some concerns that I heard Commissioner Fritz mention regarding Southwest 35th. I would say that while you're absolutely right, we've got a problem with our isolated R2 property at the end of 35th where the Taylor's Ferry off road is off-ramp is, we are going to get quick build for at least some improvements along 35th up towards Jackson, so on balance, you know, the SWIM project has brought benefits there. The issue with the Indian Hills neighborhood going across there I have to compliment staff a lot that this has really been a good job by the transportation staff. I honestly was just reading something from BPS yesterday that told me about the Marquam Middle School that we are dealing with in Southwest Portland, and told me it had been Jackson High School. So sometimes I think PBOT and BES are a little more dialed into our neighborhoods than BPS on some of these issues and I really think that this was responsive. They shifted the Indian Hills project from Ridge -- I'm sorry, from Stanley Court to Ridge, and that's a flatter, wider street that probably will enhance both bicycle and pedestrian use. It was not one that I got directly involved in because it brought pedestrians access closer to my specific neighborhood so I didn't feel like I should be pushing that project, but we had other neighbors that were concerned about it and staff was very responsive and gave us, gave the neighborhood the choice that we really favored. The other thing I would say is that this is terribly dependent on something being done on 26th Avenue so we can get the access to Barbur. I know there's been some decisions recently about the Barbur demo project monies being spent to enhance travel on 40th which I support. I understand there's equity issues there. But we still need to find some money someplace for 26th.

Wheeler: Thank you. Good afternoon.

Keith Liden: Hi. I'm Keith Lyden. I served on the SWIM advisory committee and I submitted written testimony on the 24th and also yesterday and hope you consider that in addition to my testimony today. I am here to urge you to adopt the SWIM plan and the recommended TSP amendments. I think staff has done a good job providing a plan that narrows the focus of the entire universe of possible improvements we could make in Southwest into a manageable list that we can hopefully complete in the short term. I do, however, have a couple concerns and would hope that you might direct staff to make improvements in two areas. One on safer shoulders. The problem I see with the way safer shoulders are portrayed in the plan one the message is confused because sometimes it talks about walkway or pedestrian only, others times bike and ped. The illustration in the plan on pages 26 and 42 shows an exclusive walkway only with barricades to keep the cyclists and everybody else out in that particular depiction cyclists would be in tough shape. So we shouldn't have a solution that like David said pits one mode against another. Another example is Dash Road. It's portrayed in the TSP as a mixed bike and ped facility as a safer shoulder. The description in the plan says it's a walkway but then when you go to Appendix A, it correctly says it's a bicycle and ped facility. So just some inconsistency going on. The message isn't clear. A confused public is never an asset so that needs clarification. So that would be a changing the illustrations on page 26 and 42 to have something that's more generic or maybe a series of here's what the design might look like in a number of different scenarios. 26 also clearly states safer shoulders are for both modes generally. On page 27 the project descriptions be consistent. I think the implement takes chapter is too big. I think that Appendix D helps but what you read in the plan is that residents have to continue to advocate and PBOT will try to find some money. So two things. One thing here in particular I think is important. Clearly the plan describes the specific actions PBOT will take to implement important policy recommendation which says PBOT should prepare with appropriate funding to respond to projects, shared opportunities and partner bureau

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projects. This is a policy recommendation does not show up in the implementation at all. This is very important. It ties in with the missed opportunities that others have talked about here today. We need to have some protocol how are we not going to miss opportunities like was talked about on hamilton where bes puts in a shoulder and then now we're talking about spending a half million to a million dollars to redo part of that again. If we can do things quicker and cheaper what's not to like?

Wheeler: Great. Thank you. Appreciate it all three of you. Next three, please.

Karen Mumford: Hello. I'm karen mumford, I live in Multnomah village. I would like to share my support for southwest in motion and to also show my gratitude to nick for welcoming me to the swim advisory committee meetings last year and allowing me to have input as a concerned neighbor. His dedication for full transparency is appreciated. I would also like to emphasize why it is so critical to adopt swim by giving the council perspective from the point of view of a resident on one of the proposed projects in the tryon stevens area, that being b.p.21, local service street or combination of streets of southwest troy street and southwest canby between southwest capital highway and southwest capitol hill road paralleling Multnomah boulevard two short blocks away. Like southwest clinton and northeast tillamook the section is a favorite cut-through street so single occupancy drivers and commercial vehicles can avoid a few extra turns and traffic lights along Multnomah boulevard on the route to and from barbur. This section is a current bikeway, a proposed greenway, and an existing numbered urban trails route. It is one block from elementary school, one block from a park, logical connector to Multnomah village so there's almost all pedestrian, a jogger, family with strollers and dogs and bikes on the street day and night. Yet due to the typical topography of southwest hills you must travel single file along a shoulderless edge keeping constant vigil for vehicles is so serious my neighbor won't let her teenage daughter ride her bike along that bikeway because it's the busy road. What is unique about this section that is nearly two-thirds of the households are low income and I often see folks in need negotiating traffic as they push their carts or carry heavy bags as they make their way from barbur boulevard transit to the food banks in Multnomah village. In addition, bes has expressed concern that this section lacks proper channeling of stormwater. Instead the slanting streets funnel the water through yards, dumping muddy water into the catch basin below. Someone has offers a sensical solution to the unique challenges safety and peaceable liveability issues. I urge you to please adopt and fund this project. Thank you for listening.

Wheeler: Thank you. Good afternoon.

Marianne Fitzgerald: Good afternoon. I'm ann fitzgerald here on behalf of southwest neighborhoods coalition. Sweeney submitted letters in support of southwest in motion on september 20 and earlier this week on december 3rd. I really want to extend my thanks to pbob staff, nick and kevin, who shepherded this plan through the last two years. It's actually been underway since 2013 and we're really glad that it's finally, finally coming to some closure. Last night we had an open house on the southwest capital highway project. The game changer project between Multnomah village and west Portland that is going to actually get people out of their cars and start walking to these town centers. It's a win-win for water quality, for the water bureau and for people living in southwest Portland. We're really excited. But these projects are really expensive and we know that they are very expensive and that's why one of the objectives of swim was to try to look for cheaper alternatives so we rescoped and refined some projects and have some innovative approaches because something is better than nothing. So southwest neighborhoods urges city council to strengthen the implementation strategy and funding. You've heard a lot about that today. Today in swim only a few crossings and two protected bike lanes are funded. Commissioner Fritz already noted their paint. We also have a big project in the running for a metro flexible funds grant and we hope projects can be funded through these

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larger metro packages. But if you really want people to walk and bike in southwest you need more than paint. You need infrastructure. But a simple way, another thing that nobody mentioned yet is to make it a priority to trim vegetation within the right of way. Couple of years ago pbot maintenance staff came through our neighborhood and took these big saws and and cut back the blackberry bushes. Just doing a more routine at least once a year trimming of the vegetation will go a long way in giving people more room to walk and bike in southwest. Finally when we finally get some of these projects funded please involve us in the design, southwest residents are very passionate about our neighborhoods and we really want to continue to be involved. So with that I want you to approve the southwest in motion plan and we look forward to working with you on implementing it.

Wheeler: Thank you.

Lisa Caballero: I'm lisa caballero, president of the nick sabo fan club. [laughter] I did it, nick. I'm a fan of everybody sitting here including the three or four staff members over here. Nick has been -- I wasn't on the advisory committee or stakeholder committee, just another annoying neighbor that kept horning in. Nick has been incredibly generous with his time. He had time for all of us. It was amazing. I want to address something ryan and nick said, about the connectivity. This crowd is not going to let anything go unconnected. They are all connected. What the swim process did and what nick shepherded so well was to leverage this incredible knowledge that is sitting out here today that blew me away. Some are 10, 20, 30 years been doing this and they found low cost high impact projects that it's looking at a map may not be clear why that corner and little thing is important. It's important because somebody out here said it was and they have all this experience with it. Like to thank everybody too. They did a lot of work. Please vote for swim. Please fund the things that are going to fund swim. Thank you.

Eudaly: Thank you.

Wheeler: Thanks all three of you. Next three, please.

Don Baack: Thank you, mayor, council members. Pleasure to be here. Pleasure to support swim. Basically i'm don bock, I live in hillsdale, one of my friends calls it the jewish alps. We have a lot of walkers including southwest trails walkers. I represent southwest trails, a very active volunteer organization focused on pedestrian and bicycle safety, connectivity and ease of use. We have more hands on experience in trails in southwest Portland than any other organization. We lead two monthly walks all over southwest Portland. One is a slow, one a fast walk, one short, one long. We get a lot of interested people. Our volunteers have invested thousands of hours in buildings ever building and maintaining trails. We maintain a website and online smart phone maps of southwest Portland. If you haven't tried those out, look at our website, see how to download an app and it will tell you where you are on each of the trails. Our every effort was basically a southwest primitive view of vision zero. We were trying to basically help people be safe by walking on streets that were safe and/or trails and connections. So we got 40 miles of routes, most of which are not on our trails that don't have sidewalks. There are a few we had no alternatives. We also then had to build a lot of connections. These connections mostly were stairs and steep slopes and they are not ada compatible. That doesn't mean in my opinion we should not continue to do this kind of thing. To help as many people as can use it although they are not ada compatible and probably can't be made that way because it's really steep country. We feel it's important to recognize the disparity of sidewalks in southwest Portland. You can see by the chart and basically east Portland has 128 miles without sidewalks. Southwest we have 210 miles without sidewalks. That is really, really huge. That's why a lot of people aren't walking because it's not safe in many circumstances as amanda has well pointed out. We really need to have that attention paid here because there's a myth that says east Portland has the greater deficiency. That's not

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true. The greater deficiency is in southwest Portland. Moving on from that, we want to fix that. We fix it with swim, a lot of great work done by nick and I highly commend him. I'll put a yayyy, yayyy behind the comments earlier. We do not have one continuous bicycle route to downtown other than the willamette greenway. This is another very serious deficiency in our infrastructure. We support swim, we ask for full funding immediately. We have one safety concern. That is downhill bikes on a pedestrian and bike combined lane where you have pedestrians going uphill or downhill with bikes. It's very dangerous. We don't want that to happen. Change the standard. Don't let that happen.

Wheeler: Thank you, don.

Glenn Bridger: I'm glen bridger. I represent southwest trails along with don. We supplement the existing city infrastructure with a dramatic urban trail system. It's fine, you've seen the signs, you know where the trails are. It's important that we have a currently mapped, proper system available to all the people who walk in southwest Portland. It really does add to our ability to move around our community. We want to make sure that they complement one another. What we need to do is make sure we are properly mapping our projects. We have a lot -- not a lot, about eight projects that need to be adjusted in the city's mapping so that the signage can be proper and the city's walking maps can be proper. We have made some requests on these in the past and have not been able to get these adjustments made since the plan was put together 15-plus years ago. Let me share with you in addition to the big map on into some specifics. At 45th avenue gabriel park the presently marked route goes along the highly unwalkable southwest 45th avenue. Recommended route cuts through a property directly over to entry into the park to eliminate the very uncomfortable walking on an unsafe walking on 45th. As we adjust this people will be safer when they move. It will save anxiousness and hopefully also lives. Let me also go on to a situation in ash creek neighborhood. Once again these maps are available online reference. The presently marked route goes to a dead end at the city limits. There is an alternate route mapped out and is recommended that it be implemented that it will connect up and flow on through into our neighboring cities. So we need to make these corrections. There are about eight of them and we would ask you to help us guide us on how to make these corrections or make them as a part of this specific action. Once again I heard someone talk about being a member of the fan club. I'm another one of those members. I love work. He listens. We have a great plan here. We need to fund it. We also need to fund not just this plan but we have to plan on the end game because these little projects are going to help us right now but our kids want them ten years from now also. Thank you.

Wheeler: Thanks. Good afternoon.

Phil Richman: Hello. Good afternoon. I'm phil richman here on behalf of the street trust in support of southwest in motion. For over two decades I have called southwest Portland home, worked with these guys along the way, spent almost every day walking, riding, busing, driving and recently personal e-scooting on our unique set of streets. High speed high crash arterials, shoulderless roadways that only seem reasonable to travel by cars even for short distances. This has to change. We need to support swim. Which you're doing. Thank you. Provide blueprint. In recent years I have seen projects completed that help make this possible. Removal of the double yellow line on collector streets, adding crosswalks near school like southwest 35th and huber recently. Adding protected bike lines and southwest cushions on southwest green garden are also example the well done by pbob. I'm still on a dirt road but I enjoy walking down to that improved shared roadway. It's a beautiful thing. I want to mention I would be remiss if I didn't clarify an ongoing concern I have in southwest. To make suggestion specifically for commissioner eudaly and pbob staff to consider. With the idea in mind that your staff recently presented to the pliable advisory committee which I sit on twofold goals with fixing our streets fund of maintaining

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streets and making them safe. I would like to suggest the practice of double yellow striping collector streets specifically the designated as neighborhood walkways and ped pdx as both counterproductive and unnecessary. Examples from ped pdx maps of roadways that fit this description are southwest 18th avenue, southwest powell and town hill road, southwest huber southwest fairmount. I'm certain there's many more. My experience as a driver and pedestrian on these roads leads me to believe those who are driving feel more inclined to speed and hold their line in a limited space to the detriment of people walking or cycling. I would encourage pbot engineers to consider implementing the double yellow line removal and when possible adding the bicycle advisory shoulders as common practice. This seems to have work well in southeast maplewood and I would expect it to work well here. Both have high pedestrian and bike volumes. Relatively low motor vehicle volumes and again classified as neighborhood walkways. Again per ped pdx. In summary by no means perfect but we support swim and the street trust stands by and supports it as well.

Wheeler: Thanks all three of you.

Moore-Love: That's all who signed up.

Wheeler: Very good. Any further questions or discussion? Very good. This is a resolution. Karla, please call the roll.

Eudaly: Well, I want to thank everyone for coming today. It's a really rare day where we hear from a dozen or more happy constituents. This feels good. I also want to join the nick sabo fan club. I think he might be the first bureau staff I have to have a fan club. That's always great. I also want to thank don bock for being here and taking me on what I think was a long walk but I have a feeling it may have been the short walk. Just say I feel like this plan is somewhat in the spirit of southwest trails in that, yes, we are not doing everything that needs to be done, but we are being creative and resourceful and innovative and we're going to deliver meaningful improvements in the short term to your neighborhood. I want to thank Leah for being here and offering a really unique perspective on this situation that I certainly wasn't aware of how we know that these streets are not as safe as they need to be for pedestrians and cyclists but little did I know they can interfere with people practicing their faith. It feels really good to move forward with this. I want to thank our pbot team, especially nick sabo, star of the day, for being a great steward and developing helping develop these visionary plans. In addition I want to thank home forward and stephens creek crossing for hosting the project work group meetings, working group meetings. Leah for connecting the project team with orthodox jewish community and everyone on the plan stakeholder working group for their participation in this project. I vote aye.

Fritz: Thank you to everybody who has worked on this. I have lived in southwest Portland for 33 years now, for the last 20 something in west Portland park. Thank you, neighbors, for your work to make this a plan that will make things better although it's not going to fix everything. I continue to be concerned about multifamily housing that doesn't have sidewalks to connect to frequent transit and I want to echo the southwest trails concerns about the maps and I will be emailing you to find out how do I get from Multnomah boulevard to the community center without going on 45th which was terrifying. I did it about nine months ago and i'm not doing that ever again. Very glad to hear there is a way. I hope we can make the signage clearer so people are not hunting around and putting themselves at risk. Thank you very much. Commissioner eudaly, chris warner, mary ann fitzgerald noted it's been a really long time coming. Thank the staff at southwest neighborhood who have been consistent supporters for so many year. Aye.

Wheeler: Great work. Thank you, commissioner eudaly, to you and your team. Nick, the entire team at pbot. Great presentation. I really enjoyed today's testimony. We heard different perspectives on this and I think the conversation today I think has already made this a richer opportunity and I saw nick madly taking notes as people were making

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suggestions and recommendations, so thank you for the testimony all of you who provided it. I'm very happy to support this resolution. I vote aye. The resolution is adopted. We're going to take a ten-minute recess.

Recessed at 3:15

Reconvened at 3:30

Item 1126.

Wheeler: Extend the 016 amendments to title 11 we do not have four commissioners present and are therefore unable to take the necessary step to vote on this as an emergency ordinance today. We will still hear from the bureau of development services and invited testimony and continue the hearing until next week to take up the ordinances as an emergency and a final vote. Soon then. We picked next week. We apparently do not have four next week. Is that right? Before we begin our deliberations, I'd like to clarify what is happening to the additional proposed changes to title 11 and reflections we conduct a broader title 11 review and we heard significant testimony on this the last time. I directed my office to develop a resolution in collaboration with the bureau of development services, parks, all of my colleagues offices and title 11 stakeholders, we continue to ask for improvements to this resolution to ensure that city council receives strategic recommendations for how to improve title 11 and meet our climate and urban tree canopy targets. This resolution will come to council for adoption next month and serve as a work plan for the bureaus going forward. Turning back to the specific question regarding extension, these regulations sunset at the end of this month. We have heard that it's incumbent upon the council to extend the sunset. At the november 21 council hearing, the bureau of development services proposed a two-year extension. Commissioner eudaly proposed an extension until december 31, 2050, before I call because row of development services, here is their discussion. Commissioner eudaly.

Eudaly: Thank you, mayor. Before I say what I have to say, please, everyone, reserve your disappointment because I think we'll get somewhere a little better. I would like to withdraw my amendment to extend the tree code 2050, and here is my reasoning. We are in a climate emergency. I don't foresee a day in my lifetime or future generations lifetime when we won't need these tree protections, and it didn't make sense to in a moment there was a sunset at all after pretty extensive conversation with staff and community advocates, I believe that having a shorter extension will actually better hold our feet to the fire as a city to do the work that needs to be done and frankly should have been done years ago. So extending it to 2050 might feel good, but doesn't create the urgency and incentive around getting the work done quickly. I am generally supportive of the resolution that you are developing, mayor, to do a quick analysis and come back to council as soon as possible with recommendations for -- removing exemptions and broadening the protections of smaller trees. However, I really want swift action on the removal of commercial and industrial -- the exemption. I believe that a very quick analysis could be made by bps. This is something that community has been waiting on for eight years, since we adopted title 11. I understand that there's deeper analysis of several areas of title 11, but this particular one I don't think is justifiable. The only reason I'm not introducing an amendment today is that we really do need bps to do this analysis to ensure that what I'm proposing is legally defensible, and that will require a little bit of work. But not the two years that I was hearing or six months. I would really like this to come back in the next 30 days. So I'd like to hear what my colleagues have to say about that.

Wheeler: Commissioner Fritz.

Fritz: I share your senses exactly, and also the next time there are four people here is december 18 I would like to see an amendment in the resolution when we expect the

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exemption -- the planning commission and the forestry commission to hold the required hearings. And how quickly that can come back to council and that needs to be specified in the resolution on the 18th, please.

Wheeler: And just for my two bits here, I also wanted to learn more about the two-year extension that was proposed by the bureau, my staff reached out to the bureau of development services, parks, a number of title 11 stakeholders, many of whom were present last time and to your offices, and to me the question to ask regarding the extension is what is a reasonable time frame for the bureau of development service, parks and stakeholders to deliver a series of recommendations for how the city can improve title 11 to meet the urban tree canopy and climate goals, the answer we have heard is five years. Notwithstanding -- thank what commissioner -- notwithstanding what we said about the specific extension. I would like to put it for five years, I do have a second. I do not.

Fritz: I'd like to discuss what you just said. So it shouldn't take five years to do the analysis, we need to have in the resolution is funding for positions in development services and open forestry to be able to do the work that we have the list of things that have been problematic over the last five years. What we need to do is do the public process so I am willing to second your amendment to go to five years, I should disagree with my colleague about holding our feet to the fire. We have had this sunset in place for the last three years and did not make the city do anything. So it needs to be -- the technology there needs to be more funding, I know parks will be reluctant to ask for a position in open forestry when they have so many other funding challenges, that also needs to be part of the city's commitment that if we're going to extend the sunset to five years, we are going to have a proposal from perhaps from development request in the budget to fund the positions that are going to make it happen within two years.

Wheeler: We will have the resolution on the table quickly. I don't understand what is the time frame. I'm sorry? If you could come up, please. Sam has done the outreach.

Sam Diaz: Good afternoon. For the record, i'm sam diaz. We can work with your offices and stakeholders to meet the december 18, we are a multiple drafts and just wanted to make sure that folks have ample opportunity to include the specific directives that you're pointing out and make sure that we are cognizant of our bureau's staffing and budget constraints.

Wheeler: So the proposed extensions were two years by the bureau.

Diaz: Correct.

Wheeler: Commissioner eudaly has withdrawn her amendment explain the five years.

Diaz: The reasoning that we are hearing from the bureau, so they can get the staff in place given the budget constraints, given the right now staffing expertise needed. Within that five years, they will be able to review title 11, any changes to the current 2016 amendments, the commercial industrial exemptions and any other additional title 11 amendment commissioner eudaly.

Eudaly: I wouldn't support such an all or nothing approach that would put everything off for five years, there are very narrow issues like the exemptions for commercial and industrial. And also the protections for trees, 36 inches and above when we have heard canopy is made up of many species.

Wheeler: Let me solve the problem because it was my understanding that this had been discussed.

Fritz: It has not.

Wheeler: Pull the item and hear it later.

Fritz: I don't think we can do that. We can have some discussion here. Because commissioner eudaly and I would like to vote on something december 18.

Eudaly: Please don't disrupt.

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Diaz: Commissioner eudaly's point, there are specific directives that we will incorporate in the resolution. So like the commercial industrial exemption, we can put that -- like within the five-year time frame not -- you know, anchored to it. We don't have to wait five years, we can bring up -- development service parks can, of course, bring it to urban forestry commission, planning and sustainability commission and bring it before council at, say, like a six-month time frame. I believe that information has been shared with council offices after bds and parks have --

Fritz: My office has said that's not an acceptable time frame. I would suggest you work with our offices over the next week to be able to work on a resolution we can vote on unanimously on december 18. I don't think it's appropriate to discuss this is it five years or two years, I want to second commissioner eudaly's intent that the commercial, industrial and large trees need to be taken care of as soon as possible.

Daiz: My apologies. I'll work with your offices to determine that language.

Eudaly: I would prefer to proceed. We have a room full of people here to testify. I think this is a really healthy debate. Sam, thank you. I don't believe we need multi bureau analysis on the exemptions. I think there is one bureau that can answer our questions as to whether it's legally defensible to eliminate those exemptions and if i'm wrong, i'm wrong, but right -- i'm pretty sure i'm right.

Fritz: I second the amendment.

Wheeler: So we have commissioner eudaly's withdrawn, we have the amendment for five years is on the table.

Fritz: 14 we vote on that? It's on the table.

Wheeler: Did we want to hear -- we had invited testimony.

Fritz: I would like to move to add an emergency clause since we are going to need to vote on it as an emergency on the 18th.

Eudaly: Second.

Wheeler: We can't add the emergency clause.

Robert Taylor: You can add with it three votes as an amendment.

Wheeler: Okay. We have a motion from commissioner Fritz and second from commissioner eudaly.

Fritz: In the public interest to get this done as quickly as possible because our planet is on fire.

Wheeler: Consult the roll.

Eudaly: We are not in disagreement about the feet to the fire issue. I am very frustrated and concerned. We have a high volume of information coming at us every week. We are on item 1227 right now. Things fall through the cracks and clearly this was one of them and we can't -- we can't continue to leave it where it is. I vote aye.

Fritz: Aye.

Wheeler: Aye. The amendment is adopted.

Fritz: Then we'll hear testimony on the troop amendment on five years, is that right.

Wheeler: That's my expectation. Kimberly talent, you're up. Greetings. Thanks for being here.

Kimberly Talent, Bureau of Development Services: I'm kimberly talent, bureau of development services. With me here today I have jen chiro, city forester with parks. I'm here to present a brief reminder of the proposed amendment to title 11 trees, night extend the sunset date in development situations on private property. I think this might be the wrong one. I can go on without it. So just a summary of the proposal, the proposal was brought forth was an extension of certain tree regulations from december 31, 2019 to december 31, 2021. The scope of regulations for private trees in development situations that were passed in 2016. The scope does not affect exemptions from regulations. As for the intent of the sunset date, it was to acknowledge the 2016 amendments were passed

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with limited engagement and analysis and referred to as a fast track or stop gap amendments. It was not intended to be a date where the regulations expire and we were back to the 2015 regulations, the sunset date was to incentivize a return to council after a proposal with further engagement and analysis. So just a brief description of 2016 amendments, what it requires was preservation for 36-inch trees or greater. Including a higher fee in lieu of preservation for 36-inch trees or greater, that included an exemption very certain affordable housing projects, included a notification requirement for tree removal of 36-inch trees or greater. So this concludes my presentation. I'm happy to respond to any questions you have at this time, as well as Jen Chiro, city forester.

Wheeler: We are good to go. We have invited testimony. We have Bob Sallinger from the Portland Youth Climate Council has at least a representative here. Ezra Hammer from the Portland Home Builders Association and John Isaacs from the Portland Business -- Isaacs from the Portland Business Alliance. Greetings and welcome. Thanks for being here, state your name for the record, Nike Row phones slide around a little bit. About 6 inches from your mouth is about right. Good afternoon, Bob. Youth before beauty. Good afternoon, thanks for being here.

Peter Sallinger, Climate Youth Council: Good afternoon, I'm Peter Sallinger and I'm here representing the Portland Youth Climate Council, we would like to thank you for inviting us to speak today. We have been working on this issue for a year. We are thrilled the city is beginning to take action. I would like to request a public testimony period, our understanding is the sunset clause hearing was extended in order to solve the due process dilemma presented by the amendment. While written submissions are available, we think it is vital they hear from the public on this issue. The Portland Youth Climate Council supports a full removal of the sunset clause on large tree mitigation. Nobody wants to come back and hash this out again years down the road. However, we see the next best alternative as a five-year extension of the sunset clause contingent on the city creating a clear resolution to further study mitigation requirements and providing the funding necessary so we will not find ourselves in the same dilemma come 2025, we appreciate the city's leadership in developing a solution to this before the sunset expires. While we are invited today to speak on large tree mitigation, we decided it would not be consistent with our values for us to not address commercial and industrial tree exemptions. The two issues are intertwined. Commercial and industrial exemptions should be being voted on today, in reality they should have been voted on years ago. Title 11 is in need of a vision and strengthening, industrial and commercial exemptions should have been part of the original code. Pushing the exemption off as part of a larger revision process will only ensure more trees are cut wild we wait for years for a solution. Corporate interests got off on a technicality. They failed to address it. This is the reason why we see trees coming down in places like the jail today. This is not an issue that requires a process, because it was already part of the plan, economic opportunity there's analysis requirements have been met and now we must act. Portland needs to be a city of action. It is a significant decision. I see it as a test. If we cannot pass code change as simple as this, what hope do we have on taking on bigger issues, small changes like this are the easiest in addressing climate change. The city passed hundred percent renewable energy resolution in 2017, removing industrial and commercial tree exemptions is part of holding ourselves accountable to it. We need to be part of the solution, giving trees the ability to reduce urban heat, provide habitat and mitigate climate change, we cannot afford to push off this decision any longer. The Portland Youth Climate Council appreciates the opportunity you gave us to speak before you today. We respectfully urge you take to immediate reaction because kicking the can down the road helps no one, least of all youth. Thank you.

Wheeler: Appreciate your testimony. Thank you all for being here.

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Fritz: Can I just comment. Thank you for taking the time, thank you for being off school today. I know there's going to be a climate action demonstration tomorrow by Portland public schools, I say really important you're proposing solutions and you're taking the time to actually work on it yourselves, as well as with us, so thank you.

Wheeler: Good afternoon.

Bob Sallinger, Audubon Society: Good afternoon, it's a pleasure to be here, and to be here with Portland youth climate council and the work they've done on this. Thank you to all of the folks that have shown up today. I'm bob sallinger, i'm the conservation director for the audubon society of Portland. We served on the committee that helped develop title 11. Protecting and expanding our urban canopy is vital to provide an urban landscape. Right now Portland is not doing enough to protect the canopy targets, you have an opportunity to make a solid commitment to address existing deficiencies in our tree code. First, audubon supports the proposal to extend the sunset clause on the big tree amendments for five years, we would like to see this lifted altogether, but can support this today because the city is making a commitment to come back and look at the entire tree code. We hope when you do that, you not only retain the big tree protections but lower the protections down to smaller trees, right now we are protecting big trees in neighborhoods that have a lot of trees, for neighborhoods that don't have a lot of trees, they're not getting them either through this amendment. We need to protect smaller trees so they get to be big trees in our most deficient neighborhoods, seconds, we are disappointed you are not taking up immediately the exemptions for industrial and commercial lands as was recommended by the sc and the urban forestry commission. We do appreciate the comments today by commissioners, and look forward to working on these issues. From our perspective, it's long overdue to lift these exemptions, though, they were adopted when title 11 was adopted in 2011 and adopted at the last minute and adopted because the city did not have an up-to-date economic opportunities analysis. We thought that argument was weak at the time, because the argument was we didn't have enough industrial land to protect trees and this would take up land. The reality I see this doesn't take up any land at all. Landowners can cut those trees town and mitigate for them, there was no loss of land, we think the original argument was invalid. That being said the city up dated the economic opportunities analysis in 2016 and despite the fact that it left capacity to protect trees and do other environment wall regulations, the city council never came o back to revisit this issue, revisiting it today, but many years too late. The fact is, we are losing trees, we are losing a huge amount of trees at the jail likely in the next couple of weeks because city council has not taken this up in a timely manner. It's important we move forward now and get it done. I would also note we continually hear about the economic analysis when it's an environmental opportunity on the table. The same interests that bring up the industrial land deficit when it comes to environmental issues never bring it up when wealthy developers want to upzone their land for commercial purposes or to make hormone, we don't hear about it when we talk about putting a baseball stadium on the largest tract of largest tract of land on the river. We only hear about it in the context of environmental regulation, it is a pretext to drive environmental regulations away. We need to get beyond that paradigm. So we look forward to bringing this back and hope you do bring it back separate from the bigger look at the tree code. It should come back in the incomes couple of months and appreciate the time line that commissioner Fritz and commissioner eudaly are talking about. Get it done right, bring it back in the first quarter of 2020. Lastly, we do support a big look at the tree code. There are deficiencies in it, there are things that could be improved and strengthened, we do urge you to allocate funding in the next budget cycle, the 2020-21 budget cycle to do that big look at the tree code. That's different than correcting the unfinished business of industrial lands. Let's take a big look at the tree code and we believe that could be done in 12 to 18 months, there's no reason to take 3, 4, 5

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years, the city has gone into these extend planning processes that actually exclude the public because no one has the resources to participate for 3 to 5 years in a process like that and frankly these plans don't last that long. It takes longer to develop them than to implement them. We think 12 to 18 months is more than sufficient to take a look at this plan, update it, bring it back and approve making it stronger. So thank you very much for the opportunity to testify today. We look forward to working with you on this going forward.

Wheeler: Thank you, bob. [applause] Good afternoon.

Jon Isaacs, Vice President of Government Affairs Portland Business Alliance: Good afternoon, mayor wheeler, members of Portland city council. I'm john isaacs, thank you for the opportunity to speak with you again today. The Portland business alliance is the greater Portland chamber of commerce, we represent the larger and most diverse business association in our area. We support commerce, community health and shared and sustainable prosperity for our region and state. On behalf of our 1900 members, i'm here today to express our support for the compromise five-year extension of the sunset date for tree preservation regulations and development situation on private property. He lines is committed to working with all of the stakeholders here today, the city council, planning and sustainability commission and bureau staff to review all aspects of regulations, including a full examination of whether the current exemption for industrial and employment lands is the right policy for balancing all of our city's goals. As we have discussed with each of you over the past year, we have received clear direction from our membership the alliance must shift to be willing to work with all stakeholders to developing the best policy for the entire city, not just what would be best for business. That means the alliance as the voice out of our region's business community must be open to discussing changes to changing policies for commercial and employment lands that in the past we may have opposed. It is likely that much better policy can be craft titled takes into account all our shared goals. It is time for all of us to stop viewing these as competing priorities. As we make this shift, we ask that all stakeholders work to ensure they take the time to have these thoughtful conversation such as last minute amendments that plague our political bodies. We should do this right. In closing, we believe the five-year extension strikes the right balance between ensuring the current regulations remain in place and providing the staff the time they need with necessary resources to conduct the analysis we need to identify and recommend improvements to title 11 that benefit all Portlanders.

Wheeler: Thank you. Good afternoon.

Ezrah Hammer, Home Builder's Association: Good afternoon, honorable mayor and members of the city council. My name is ezra hammer, the home builders association of metropolitan Portland. We represent the men and women who build, remodel and develop housing, small scale housing in the Portland metro region. I'm here today to thank you for your continued attention to title 11, specifically as it relates to the trees and development situations. Despite any misconceptions to the contemporary, i'm here to say a robust tree canopy is wanted. Any good builder knows that more trees rather than less leads to vibrant communities. I'm here to speak about some of the deficiencies in the existing tree code unfortunately the city often forces developers to remove trees we believe can be maintained. This is due to a lack of flexibility required analyze trees on a case by case basis. Even when unique development situations exist. Additionally due to the unorthodox fine structures that exist in title 11 the city regularly adds tens of thousands of dollars to the cost of new housing, that happens at a time when we all recognize we need to be building more housing within our urban framework. Specifically, due to the existing fee structure, title 11 in some ways is less related to mitigation and more focused on dissuading the removal of trees. However, these fines, in title 11 are triggered by the city itself rather than a developer-driven process. The bureau of transportation regularly requires the removal of trees in order to build sidewalks and locate driveways they are critical and important,

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however, they do trigger the removal of trees, which in turn leads to significant fines. These are the sorts of situations that create a scenario where the city is both requiring the removal of trees and fining the builder for removing those trees, we believe we can find a better solution to those situations. Additionally, we are very appreciative of the effort to expand an analysis of the entire title 11 code. This is something that, as Mr. Sallinger mentioned, is long overdue. And we hope by working in a collaborative process and supporting the five-year extension we can think holistically about a tree canopy to better enhance trees within the urban environment.

Wheeler: Thank you.

Eudaly: I have a quick question. Mr. Wood, is that --

Hammer: No, Mr. Hammer.

Eudaly: Sorry. When you mentioned trees that developers are compelled to take down by the city, are you talking about the root zone issue?

Hammer: It's two separate issues. One, the root zone requirements don't allow for analysis on a case by case basis. It is not uncommon for developers to remove trees on paper and then preserve them as part of the development process when the private arborists tell them they can be maintained. The scenario I was speaking to, where they require though removal of trees to complete introduce. Whether it's building an enhanced sidewalk, those sorts of public improvements oftentimes require the removal of trees and in those scenarios, we would hope the city could find a different way to require mitigation.

Eudaly: Okay, thanks.

Wheeler: Good, thank you all. Appreciate it. And that concludes our invited testimony. We have already taken a vote on the emergency clause, so that's done. At this point we'll continue it then. We need to pick a date.

Fritz: Take testimony on the amendment.

Wheeler: No, it's been part of the discussion.

Fritz: I.

Wheeler: Unless legal counsel tells me otherwise. According to what I have here.

Taylor: There's the pending amendment on the table about the five years, and it's within your discretion, counsel's discretion whether to hear testimony on that or.

Fritz: Do we have a sign-up sheet for it, Karla.

Moore-Love: No.

Fritz: So we could wait and see what comes back and have you testify on the whole package, which might make the most sense. Because I think for -- in Commissioner Eudaly and me, our support depends on what the resolution looks like. When is the next time all five of us are here, please.

Moore-Love: Or at least four. The 12th next date, that's a Thursday, so the 18.

Wheeler: We can stay late. We got to get the work done by the end of the year.

Moore-Love: Did you want the 12th.

Wheeler: If we have to stay late, we'll stay late.

Fritz: An earlier time on the 18th.

Moore-Love: Pretty booked in that morning too. Looking.

Fritz: How about the afternoon of the 18th.

Moore-Love: That's the fossil fuels and they're going until 4:30.

Wheeler: Great. Book it at 4:30. Make it 4:45 just to be safe. I'm sorry.

Moore-Love: On the 18th she's out at 4:30. Commissioner Eudaly.

Eudaly: I am. Just a vote I can't miss. But I can stay late on the 12th.

Moore-Love: Do regular agenda on the morning of the 18th.

Fritz: I think we they'd to have a time set.

Wheeler: Going to have to be an afternoon.

Fritz: The afternoon on the 12th.

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Moore-Love: Yes, you are. It would be 4:40.

Wheeler: Make it 5:00. It will be a lot of testimony. So count on a night meeting.

Moore-Love: That's your 4/5 agenda.

Fritz: The what. Pcef is on the regular agenda that afternoon.

Wheeler: A long day, we can do it.

Moore-Love: 5:00 certain on the 12th.

Wheeler: I look forward to that.

Fritz: See you all next week, thanks for coming.

Wheeler: A couple of comments i'd like to make before I move this. I feel a little embarrassed and chagrined, I feel like I got caught holding a bag. Bob, I do share the sense of urgency, there he is, hiding behind the large novelty clock. I do share the sense of urgency, I have been advised if we moved forward on the elimination of the exemption on commercial and industrial use without a thorough public process, we would lose in court and legal counsel can confirm that. That is the balancing act that i'm trying to do here, I want to make sure we have a product that actually sticks, I don't want something remanded. So that's the concern i've been trying to balance. And I thought we had that conversation, council-wide through our usual channel, but apparently the communications didn't happen or didn't happen clearly. I apologize to my colleagues for that. We are adjourned. We have moved it.

Council adjourned at 4:08 p.m.