



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **20th DAY OF NOVEMBER, 2019** AT 9:30 A.M.

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

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Linly Rees, Chief Deputy City Attorney; and Daniel Sipe and Christopher Alvarez, Sergeants at Arms.

Item Nos. 1065, 1068 and 1069 were pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

The meeting recessed at 12:00 p.m. and reconvened at 12:06 p.m.

COMMUNICATIONS		
1054	Request of Stan Herman to address Council regarding tell me the truth (Communication)	PLACED ON FILE
1055	Request of Christine Aanderud to address Council regarding business owner, homeless situation (Communication)	PLACED ON FILE
1056	Request of David Potts to address Council regarding the difference between the Lents Neighborhood Association verses the Lents Neighborhood Livability Association (Communication)	PLACED ON FILE
1057	Request of Craig Rogers to address Council regarding trust and local government (Communication)	PLACED ON FILE
1058	Request of Dr. Theodora Tsongas to address Council regarding Zenith's proposal to build a pipeline for methyl diphenyl isocyanate (Communication)	PLACED ON FILE
TIMES CERTAIN		
1059	<p>TIME CERTAIN: 9:45 AM – Authorize the Second Amended and Restated Visitor Facilities Intergovernmental Agreement with Multnomah County and Metro (Ordinance introduced by Mayor Wheeler) 30 minutes requested</p> <p>Motion to amend Exhibits A, B and Impact Statement: Moved by Wheeler and seconded by Fritz. (Y-4)</p>	PASSED TO SECOND READING NOVEMBER 27, 2019 AS AMENDED
1060	TIME CERTAIN: 10:50 AM – Proclaim the year 2019 to be The 150 th Anniversary of the Completion of the Transcontinental Railroad (Proclamation introduced by Mayor Wheeler) 30 minutes requested	PLACED ON FILE

<p>1061</p>	<p>TIME CERTAIN: 11:20 AM – Update bicycle parking regulations and amend fee schedule for Land Use Services (Previous agenda 1048; Ordinance introduced by Mayor Wheeler; amend Title 33, Planning and Zoning) 15 minutes requested for items 1061 and 1062</p> <p>The oral and written record are closed. No additional testimony will be accepted.</p> <p>Motion to accept Substitute Findings: Moved by Wheeler and seconded by Hardesty. (Y-4)</p> <p>Motion to accept Staff Technical Amendments: Moved by Wheeler and seconded by Hardesty. (Y-4)</p> <p>Motion to accept Amendment No. 1: Moved by Eudaly and seconded by Fritz. (Y-4)</p> <p>Motion to accept Commissioner Amendments Nos. 2 - 4: Moved by Wheeler and seconded by Hardesty. (Y-4)</p> <p>Motion to accept Amendment No. 5: Moved by Wheeler and seconded by Hardesty. (Y-4)</p>	<p>PASSED TO SECOND READING DECEMBER 4, 2019 AT 11:05 AM TIME CERTAIN AS AMENDED</p>
<p>1062</p>	<p>Establish standards for bicycle parking for certain City funded affordable housing projects designed but not yet permitted (Previous Agenda 1049; Ordinance introduced by Commissioner Eudaly)</p>	<p>PASSED TO SECOND READING DECEMBER 4, 2019 AT 11:05 AM TIME CERTAIN AS AMENDED</p>
<p>CONSENT AGENDA – NO DISCUSSION</p> <p>Mayor Ted Wheeler</p>		
<p>1063</p>	<p>Reappoint Catherine MacLeod to the Fire and Police Disability and Retirement Board of Trustees for a term to expire December 31, 2022 (Resolution) (Y-4)</p>	<p>37459</p>
<p>Bureau of Planning & Sustainability</p>		
<p>*1064</p>	<p>Authorize an Intergovernmental Agreement with the State of Oregon to receive Quarterly Census of Employment and Wages data from the State Employment Department (Ordinance) (Y-4)</p>	<p>189764</p>
<p>Office of Management and Finance</p>		
<p>*1065</p>	<p>Amend contract with Cellco Partners dba Verizon Wireless to provide wireless services for an additional five-year term and increase the not to exceed value by \$17,500,000 for a new not to exceed total of \$26,800,000 (Ordinance; amend Contract No. 30005631)</p> <p>Continued to November 21, 2019 at 2:00 p.m. (Y-4)</p>	<p>189775</p>
<p>*1066</p>	<p>Amend contract with Environmental Systems Research Institute, Inc. for Geographic Information System Software to increase it by \$37,275 for a not to exceed total of \$2,361,275 (Ordinance; amend Contract No. 30004099) (Y-4)</p>	<p>189765</p>

<p>*1067</p>	<p>Authorize a two-year lease extension with American Property Management for office space at 305 NE 102nd Ave through November 2021 at an average annual cost of \$92,053 for Portland Parks and Recreations Citywide Recreation team (Ordinance; amend Contract No. 30005619) (Y-4)</p>	<p>189766</p>
<p>*1068</p>	<p>Pay attorney's fees settlement from Masonry Building Owners of Oregon et al. litigation in the sum of \$350,000 involving the Bureau of Development Services and the Bureau of Emergency Management (Ordinance) (Y-4)</p>	<p>189773</p>
<p>*1069</p>	<p>Pay property damage claim of Portland State University in the sum of \$49,580 involving the Portland Bureau of Transportation (Ordinance) (Y-4)</p>	<p>189774</p>
<p style="text-align: center;">Commissioner Chloe Eudaly Bureau of Transportation</p>		<p>189767</p>
<p>*1070</p>	<p>Accept a grant in the amount of \$3,120,000 from the Oregon Department of Transportation and authorize an Intergovernmental Agreement for the Jade and Montavilla Multimodal Improvements Project (Ordinance) (Y-4)</p>	
<p>*1071</p>	<p>Authorize a contract with the lowest responsible bidder for the SE 52nd and Woodstock Traffic Signal Replacement Project (Ordinance) (Y-4)</p>	<p>189768</p>
<p style="text-align: center;">Commissioner Jo Ann Hardesty Portland Bureau of Emergency Management</p>		<p style="text-align: center;">PASSED TO SECOND READING NOVEMBER 27, 2019 AT 9:30 AM</p>
<p>1072</p>	<p>Accept a FY 2019 State Homeland Security Program grant in the amount of \$31,157 from the Oregon Department of Emergency Management to enhance emergency preparedness by providing emergency equipment to assist vulnerable Portlanders in the event of a disaster (Ordinance)</p>	
<p style="text-align: center;">REGULAR AGENDA Mayor Ted Wheeler Bureau of Development Services</p>		<p>189769</p>
<p>*1073</p>	<p>Extend the allowed temporary activity timeframe for a mobility hub at SE 8th Ave and SE Stark St from an allowed 2 weeks and allow limited new development until June 30, 2021 (Ordinance; waive or modify requirements of 33.140 Employment and Industrial Zones, 33.296 Temporary Activities and 33.510 Central City Plan District) 20 minutes requested (Y-4)</p>	
<p style="text-align: center;">Bureau of Police</p>		

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<p>*1074</p>	<p>Authorize a \$377,097 U.S. Department of Justice law enforcement and criminal justice community grant agreement and appropriate \$100,000 in law enforcement and criminal justice funds for FY 2019-20 (Ordinance) 20 minutes requested (Y-4)</p>	<p>189770</p>
<p>*1075</p>	<p>Authorize two traffic enforcement grants totaling \$50,811 from the State of Oregon’s Traffic Safety Division 2020 grant programs for sworn personnel overtime reimbursement and authorize future Traffic Safety Division grant program agreements (Ordinance) 20 minutes requested Motion to add emergency clause for the purpose of getting the grants as quickly as possible: Moved by Fritz and seconded by Hardesty. (Y-4) (Y-4)</p>	<p>189771 AS AMENDED</p>
<p>Office of Management and Finance</p>		
<p>1076</p>	<p>Assess properties for sidewalk, curb and/or driveway repair for the Portland Bureau of Transportation (Hearing; Ordinance; Y1100) 15 minutes requested</p>	<p>PASSED TO SECOND READING NOVEMBER 27, 2019 AT 9:30 AM</p>
<p>1077</p>	<p>Amend Revenue and Finance Code to streamline the procurement and contracting process (Second Reading Agenda 1045; amend Code Chapter 5.33, 5.34 and 5.68) (Y-1 Eudaly; N-3 Fritz, Hardesty, Wheeler. Failed to pass.) Motion to reconsider the item: Moved by Fritz and seconded by Eudaly. (Y-4)</p>	<p>REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION</p>
<p>Commissioner Chloe Eudaly</p>		
<p>Bureau of Transportation</p>		
<p>*1078</p>	<p>Accept a grant in the amount of \$3,140,000 from TriMet and authorize Intergovernmental Agreement for Central City in Motion projects improving transit speed and reliability (Ordinance) 15 minutes requested (Y-4)</p>	<p>189772</p>
<p>Commissioner Amanda Fritz</p>		
<p>Water Bureau</p>		
<p>1079</p>	<p>Adopt a set of priority values, expectations, and the Recommended Option to guide the design and implementation of the City of Portland’s Bull Run Filtration Projects (Previous Agenda 1046) 30 minutes requested for items 1079 and 1080</p>	<p>CONTINUED TO NOVEMBER 27, 2019 AT 9:30 AM AS AMENDED</p>
<p>1080</p>	<p>Authorize a contract with Stantec Consulting Services, Inc. for design services for the Bull Run Filtration Project in the amount of \$51 million (Previous Agenda 1047)</p>	<p>PASSED TO SECOND READING NOVEMBER 27, 2019 AT 9:30 AM AS AMENDED</p>
<p>Commissioner Nick Fish Bureau of Environmental Services</p>		

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1081

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 (Ordinance) 10 minutes requested

**RESCHEDULED TO
NOVEMBER 27, 2019
AT 9:30 AM**

At 12:57 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **20th DAY OF NOVEMBER, 2019** AT 2:00 P.M.

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

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

*1082	TIME CERTAIN: 2:00 PM – Readopt remanded Ordinance No. 188142 to restrict bulk fossil fuel terminals (Ordinance introduced by Mayor Wheeler; amend Title 33, Planning and Zoning) 3 hours requested No additional oral testimony will be taken. Written testimony will be accepted until December 2, 2019 at 9:00 a.m. Motion to accept technical amendments: Moved by Hardesty and seconded by Fritz. (Y-4)	CONTINUED TO DECEMBER 18, 2019 AT 3:00 PM TIME CERTAIN AS AMENDED
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At 3:35 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **21st DAY OF NOVEMBER, 2019** AT 2:00 P.M.

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

Commissioner Eudaly arrived at 2:02 p.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Naomi Sheffield, Deputy City Attorney, and Lauren King, Deputy City Attorney, at 3:47 p.m.; and Dorothy Elmore and Ian Williams, Sergeants at Arms.

The meeting recessed at 3:34 p.m. and reconvened at 3:47 p.m.

1083	TIME CERTAIN: 2:00 PM – Portland Street Response – Pilot Implementation Plan (Report introduced by Commissioner Hardesty) 1.5 hours requested Motion to accept the report: Moved by Hardesty and seconded by Eudaly. (Y-4)	ACCEPTED
1084	TIME CERTAIN: 3:30 PM – Appoint Ahmed Al zubidi, Mohamad Bader, Blanca Gaytan Farfan, Bernal Cruz Muñoz, and Salome Nanyenga to the New Portlanders Policy Commission for terms to expire November 21, 2022 (Report introduced by Mayor Wheeler) 15 minutes requested Motion to accept the report: Moved by Fritz and seconded by Hardesty. (Y-4)	CONFIRMED

1085

TIME CERTAIN: 3:45 PM – Amend the Comprehensive Plan, Comprehensive Plan Map, Zoning Map, Title 33-Planning and Zoning, Title 18-Noise Control, Title 32-Signs and Related Regulations to revise the Multi-Dwelling Residential designations and base zones (Previous Agenda 1026; Ordinance introduced by Mayor Wheeler; amend Code Title 33, and Code Title 18 and 32)
1 hour requested

The oral and written record are closed. No additional testimony will be accepted.

Motion to accept Amendments 1a, 1b and 1c, Deeper Housing Affordability: Moved by Fish and seconded by Fritz. (Y-3 Eudaly, Fritz, Wheeler; N-1 Hardesty)

Motion to accept Amendment 2, Affordable Housing Parking Exemption: Moved by Fish and seconded by Fritz. (Y-3 Eudaly, Hardesty, Wheeler; N-1 Fritz)

Commissioner Fritz withdrew Amendment 3 without objection.

Motion to accept New Amendment 3: Moved by Fritz and seconded by Eudaly. (Y-4)

Motion to accept Amendment 4, Development Bonuses and Transit Access: Moved by Fish and seconded by Fritz. (Y-1 Fritz; N-3 Eudaly, Hardesty, Wheeler. Motion failed.)

Motion to accept Amendment 5, 100-foot Height in Historic Districts: Moved by Fish and seconded by Fritz. (Y-1 Fritz; N-3 Eudaly, Hardesty, Wheeler. Motion failed.)

Commissioner Fritz withdrew Amendment 6 without objection.

Motion to accept new Amendment 6a, Indoor Common Area Requirement for Large Sites: Moved by Fritz and seconded by Eudaly. (Y-2 Fritz, Hardesty; N-2 Eudaly, Wheeler. Motion failed.)

Motion to accept new Amendment 6b, Indoor Common Area Limitation: Moved by Fritz and seconded by Hardesty. (Y-1 Fritz; N-3 Eudaly, Hardesty, Wheeler. Motion failed.)

Motion to accept new Amendment 6c, Indoor Common Area FAR Exemption: Moved by Fritz and seconded by Wheeler. (Y-4)

Motion to accept Amendment 7, FAR Transfers: Moved by Wheeler and seconded by Eudaly. (Y-4)

Motion to accept Map Amendment M1: Moved by Hardesty and seconded by Fritz. (Y-4)

Motion to accept Map Amendment M2: Moved by Hardesty and seconded by Fritz. (Y-4)

Motion to accept Map Amendment M3: Moved by Hardesty and seconded by Fritz. (Y-1 Fritz; N-3 Eudaly, Hardesty, Wheeler. Motion failed.)

Motion to accept Minor or Technical Amendments A, C, D, E, F: Moved by Hardesty and seconded by Eudaly. (Y-4)

Mayor Wheeler withdrew Amendment B without objection.


**CONTINUED TO
DECEMBER 5, 2019
AT 4:00 PM
TIME CERTAIN
AS AMENDED**

At 5:56 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: 2020.05.19
11:10:12 -07'00'

By Karla Moore-Love
Clerk of the Council

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

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.**

November 20, 2019 9:30 a.m.

Wheeler: Good morning, folks, this is the wednesday, november 20, 2019 morning session of the Portland city council. Karla, please call the roll.

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

Wheeler: Here, I have would you please question, Karla, so the displays will not be functioning this morning? Will people be able to see this on tv?

Moore-Love: That is my understanding.

Wheeler: So for those in the chamber, obviously, we have technical difficulties this morning. Presentations will apparently not be seen on the overhead projectors so we are going to make sure that we have enough copies of each of the presentations so people in the chamber can follow along as people are giving presentation, and I apologize for that inconvenience. Similarly, colleagues, before we move into the council meeting, I would ask we take a moment of silence to recognize and acknowledge transgender day of remembrance, to reflect on those who have lost their lives due to acts of anti-transgender hate and violence. Please join me in a few moments of silence. [moment of silence] thank you, I appreciate it. Now we will hear from the council on the rules of order and decorum, good morning.

Linly Rees, Chief Deputy City Attorney: Good morning. 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 on resolutions or first reading of ordinances. Your testimony should address the matter being considered at the time. If it does not, you may be ruled out of order. When testifying, please state your name for the record. Your address is not necessary. Please disclose if you are a lobbyist. If you are representing an organization, please identify it. The presiding officer determines the length of testimony. Individuals generally have three minutes to testify unless otherwise stated. When you have 30 seconds left, a yellow light goes on. When your time is done, a red light goes on. If you are in the audience and would like to show your support for something said, please feel free to do a thumbs up. If you want to express that you do not support something, please feel free to do a 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: Colleagues, today, just by way of a heads up for everyone, you will recall last wednesday, I think, we were in session for about nine hours with a brief break. This week's agenda is just as full if not fuller than last weeks, so we will hear communications, everybody who has communications has three minutes to testify. Sometimes there is invited testimony and we allow the testimony to go for however long the commissioner in

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charge of the item would like that testimony to go on. We would ask the public testimony today be limited to two minutes. So please think about planning your remarks in terms of two minutes, the purpose being so we can get through the agenda by the close of business this evening. First one is communications.

Item 1054.

Wheeler: Three minutes each, name for the record, please. Good morning.

Stan Herman: Good morning. My name is stan herman. I will wait a moment until the mayor gets back.

Hardesty: Feel free to start. We multi-task on a regular basis.

Herman: Commissioner Fish is gone. I reviewed his response to me last month and I want to thank him for the input. It was the first input, it was the first input I got from him and it was well taken. As I mentioned before, I was one of the founders of a four dimension club. The club is a drug and alcohol recovery club and with 600 members and growing. I have five houses, and I provide houses for 27 drug and alcohol people in the community. I just heard on the news about wapato, and I have heard you on the radio about wapato, and I don't want to hear too much about it again, but our system, our program would work, and I was going to present that to the wapato people, but since that's down the road, we will address that later. Fritz and Hardesty I would like to give you pictures of what I want to talk about in the meeting, so you are more maybe know what I am about. The first picture is a hotel on the mississippi, in albina. That was there years ago during -- when they were building the shipyards. Building ships and it's been vacant for years, and that property on the second page is a drawing of a 120 unit, low income apartment property that can be built for drug and alcohol recovery people. Our system would work perfectly for that kind of system. The third page is building of the warehouse, it burned down two years ago, there went \$8 million, but I would like to get your thoughts on that site. It's a wonderful site for lower income kids that need a facility versus the one by the hawthorne bridge. In the lci 713 restored navy ship is also a museum that would like to be at that site. I would like Amanda and Jo Ann to visit the ship on swan island, Amanda you would be amazed at the medical room that they have that ship, that they had to deal with world war ii, and jo ann being a navy person in the museum, there is a recovered japanese flag along with other world war ii navy things to see. If you have not been there, I would invite you to go and see that. Jo ann, you and I like the same kind of music, I saw you at the prime rib, and I like what you are doing on cable. That informs us a lot and I enjoy listening to you on the radio. The last picture was the canoes and kayaks for kids and second to last, the last one was the restored ship. There is passes on there, they don't mean anything -- they meet every saturday morning, if you or your friends want to visit it, let me know it would be fun to see.

Wheeler: Next individual.

Item 1055.

Moore-Love: She's not able to make it.

Wheeler: Next individual, please.

Item 1056.

Wheeler: Good morning.

David Potts: Good morning mayor Wheeler and city commissioners, my name is david potts and I'm the president of the lents neighborhood livability association not to be confused with the city funded, city recognized lents neighborhood association. We are a 501c3, whose mission is to serve, engage and inform the citizens of lents. A big difference between us and the city recognized neighborhood association is that we are financially self supporting. Ina uses the taxpayer money to fund board members, private business, social enterprises and projects, \$2,000 at a time. Since our inception in september, 2017, we have been accused of being nimby's and violent towards the homeless population. We are just the opposite. We have helped people by taking them to emergency rooms, talk to

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them as people and recently assisted a homeless person navigate the registration process and got him into services. Our first cleanup was around oliver p. Lents grade school, our first and last city grant was for a neighborhood cleanup which took us a year and a half to get reimbursed for. We have helped several neighbors in lents remain in their homes by doing minor, as well as major repairs, such as rehabbing an entire kitchen that was infested with rats. We removed the remains of a neighbor's burned down garage, which had been set on fire twice by squatters. She received code violations from bds and the fire department, and through our assistance, avoided being fined. We built entry stairs for another couple, and helped do yard work and interior painting for Portland homeless family solutions, spent days clearing the brush and weeds from the lents monument, helped to paint one woman's house who could not afford to hire a professional painter. We regularly partner with the local churches, neighborhood-to-neighborhood program. Many of their care receivers are referred to by bureau of development services due to code violations. Their model is to build a rapport with and give ongoing assistance to the homeowners so that bds will remove them from the violation list. We have provided thanksgiving dinners to needy families for the past two years, the first year we provided 22 families with turkeys, last year we provided 25 families with the entire meals, and this year we will provide 50 families with entire meals. We regularly work with law enforcement, central city concern, and rapid response to report criminal activity, arrange for wellness checks, and haul off bags of trash we collect while cleaning the streets and alleys in the neighborhood. Thank you for listening, and I hope that you have a better understanding of who we are. If you are interested in finding out more, please feel free to join us at one of our events or the annual community potluck christmas dinner on december 12. We would like to be a part of making Portland a better place to live.

Wheeler: Thank you, david, we appreciate you coming in today.

Item 1057.

Wheeler: Good morning.

Craig Rogers: Good morning, council. Mayor, because you came out and took that walk with me in my neighborhood, you are going to know where I am talking about. Here's the willamette river, there's my neighborhood and this is off the police website and my neighborhood is a clear color, and this is different, its because mine has less crime. The color around it is the same as downtown Portland. I go on patrol every day. Every day. I go down to the end of the dead end streets, you reached over a fence and you shook hands with a young man named russell.

Wheeler: Remember that.

Rogers: That's his first house, first wife, first child. Two months ago I went down to the end of that street and I smelled smoke, and there is somebody in those trees building a fire, and he's out there, and I would not have seen him. He's collecting firewood, this is a windy day about the same time those fires are down in california and so I texted the principal, and that's, actually, floyd light property. He gave them five minutes, problem solved. You saw where another gentleman said tell them about the fire. So there is a lot of crime that can happen around there but I patrol it every day. That's why it is that color. I once asked an officer who was called out there and showed up between floyd light and the park, and habitat for humanity and I asked them about this tying the police hands things, and he says we know this is a violation of the -- he says it comes from above. We know this is a violation of the law, but we don't want you to enforce it, those are his exact words.

Wheeler: Who said that?

Rogers: You know what. I have had a lot of officers tell me the same thing and I trust.

Wheeler: Next time one of them says that, ask them who said it.

Rogers: I am not going to violate their trust in me.

Wheeler: I am just telling you, I don't believe it until you give me facts to the contrary, I don't believe it.

Rogers: Sometime we should talk the two of us. The Portland mayor on misconduct by homeless people, laws will be enforced, and this is the recent survey, according to respondents homeless is perceived as a top challenge facing Portland, and in your announcement to run for mayor, you can't claim to be progressive if you are not making progress on helping the homeless to get off the streets. This surprised is november, the southwest examiner says Oregon ranks 49th for access to drug and alcohol treatment. I got to wonder, where are the millions and millions going. So here, katu news, Portland is ranked the most dangerous city in Oregon. Oregon 20 safe cities, I brought this up before I had to really dig in, and Portland is number 35.

Wheeler: Thank you, appreciate it.

Item 1058.

Wheeler: Is she not here, it doesn't appear that she is here, have any items been pulled off the consent agenda?

Moore-Love: Yes, three items, 1065, 1068, and 1069.

Wheeler: Call the roll on the remainder.

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

Wheeler: Aye. The consent agenda is adopted. First time certain item, is 1059, please.

Item 1059.

Wheeler: I'm going to move some substitute documents in a moment, but first I want to say that I am pleased to introduce this item. It reflects the culmination of many months of hard work by my staff, the city's chief administrative officer and our counterparts at metro and Multnomah county. I am grateful to travel Portland for their work and constantly driving and improving the travel and tourism entry in the city. Without their hard work, patience, assistance, and understanding, none of the important investments this agreement allows would be possible. This item, which is the second amendment to the visitor's facilities inter-governmental agreement, otherwise known as vfiga, continues the important practice of investing dollars generated by the travel and tourism industry notably transient lodging taxes and vehicle rental fees into the publicly owned venues that help support the same industry. This amendment will help to support the much needed renovation of the veteran's memorial coliseum and the Portland five centers for the arts building as well as providing crucial operating support for these and other important venues. It also continues and increases the dollars available to attract major conventions to our city by increasing the support for the visitor's very many fund and made possible by the hard work and success of the travel and tourism industry in the city, this amendment reflects the vfiga is now able to increase the tourism generated dollars that go towards services and programs that support our most vulnerable populations. Those that are either experiencing or at the risk of experiencing homelessness, in other words, to provide services to the most chronically homeless to help them get off and stay off the streets. Tom Rinehart, the cao will present the item after I move the substitute documents, and I would like to move three as a package, I would like to move the impact statement, exhibit a, and exhibit b, all of which you have received. Can I get a second?

Fritz: Second.

Wheeler: I have a second from commissioner Fritz. Is there any discussion on these substitute amendments? Please call the roll.

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

Wheeler: Aye. The substitute documents are on the table. Cao Rinehart, good morning.

Tom Rinehart, Office of Management and Finance: Good morning council, my name is tom Rinehart the chief administrative officer, my team and I are very happy to finally be at this point after two years of hard work with our partners. During these years, many talented

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people were instrumental in getting us here today I want to thank them. Government relations director Elizabeth Edwards, city economist Josh Harwood, former cfo, Jennifer Cooperman, Ken McGair to my right from the city attorney's office, the spectator venues program manager Karl Lisle to the left, thanks as well to the many city hall staff on our teams who played a key role, particularly Kristin Dennis in the mayor's office. Lastly on the list of the city of Portland acknowledgments thanks to former spectator venues program manager Susan Hartnett, who had the vision for renegotiating this iga with an understanding of the opportunities to presented us. It is not an exaggeration to say that we would not be here today without her leadership. Thank you, Susan. Thanks, as well, to jeff miller and brain Duran with travel Portland and our colleagues at metro and Multnomah county for the efforts they invested to get this completed. Ken and Karl will give you an overview of the key changes in a minute, but before that, I wanted to address you my role as cao on two points. First, council has taken important and critical steps over the past few years to address the longstanding deferred maintenance needs in our transportation, parks, and civic infrastructure. This agreement, with regional partners, takes another long needed step to upgrade and maintain our assets like the mayor mentioned, in this case, veteran's memorial coliseum and the Portland five centers for the arts buildings. My team already has put to go an advisory committee for the reconstruction effort of the coliseum, and we look forward to engaging you during this stage in 2020. Second part of my role in a process like this is to ask what are the risks? And have we appropriately protected the city against potential negative outcomes? I want to be clear with all of you today I believe that the city's risk is appropriately protected in this new agreement, provided we keep in mind the initial premise that this system needs to be fed by visitors coming to Portland and paying transient lodging taxes in order to keep the funds strong. If the five-year forecast shows any downturn, and I need to reduce the spending in order to protect our reserves, we will not hesitate to recommend these reductions, however, unpopular they may be. With that, I want to turn it over to ken and karl to explain the important changes in the amended agreement.

Karl Lisle, Office of Management and Finance: Karl Lisle, spectator venues program manager, so the amended agreement is the result of several years of hard work that began as an effort to develop a strategic plan for the agreement that would guide the future amendments. During that conversation, the growing urgency of the various needs being identified and the opportunity to make immediate progress in addressing them shifted that conversation from a strategic plan to an amendment of the iga. In May 2018 mayor Wheeler, chair Kafoury and then metro president Hughs signed a letter of agreement providing direction to the team to amend the visitor facility intergovernmental agreement, or vfiga. That letter established four key priorities which framed the discussion and are represented in the amendments before you today. I will briefly cover the key details of the allocation amendments, the adjustments of those allocations using the four priorities in the letter of agreement, and ken will touch on key changes in the governance and oversight structure in the agreement. So first, consistent with the community livability and safety priority, two allocations are dedicated as new funding for the provision of services, and programs for people experiencing homelessness or who are at risk of becoming homeless, and to address the community livability and safety concerns often associated with homelessness. The first renames an existing allocation in the agreement called the county visitor facilities and operations support bucket, to livability and safety supportive services base amounts. This allocation in fiscal year 19-20 is \$1,775,000, and that amount has escalated by cpi annually. The second allocation called the additional livability and support amount is established in this amendment, and as follows. For the first two years, that's fiscal years 19-20 and 2021, that's the difference between the base amount, that \$1,775.00 and \$2.5 million. So it's \$725 in the first year and slightly less

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because of that escalation in the second year. And that is the subject of changing the first year amount was the reason we filed the substitute documents earlier this week so that was the only substantive change reflected. The combined amount of the allocations for livability and safety gradually increases in the amendments until reaching a combined total of \$5.25 million in annual support in fiscal year 2023-2024, and that amount continues annually thereafter. The project the combined totals for these allocations for fiscal year 19-20 through 2930 and the next ten years is over \$51 million. This is the single largest program in the agreement, operations program so not the bond programs, and more than quadruples the funds available from this source to support services and programs related to the homelessness needs. Second, consistent with the healthy facilities priority in the letter of agreement, several changes are included in the amendments. The first, this agreement includes new bond support for capital renovation projects at key city owned venues, those are the veterans memorial coliseum or vmc and the Portland five center for the arts or p5. And this support is set at up to \$40 million in bond or debt proceeds for each potential project and escalates from 2019 using construction cost escalations. The vmc allocation cannot begin before January 2021, and the Portland five or p5 allocation cannot begin before 2024. While we know that \$40 million for each of these projects is likely not enough to address the needs of the aging venues, we believe the funding can be a very important foundation upon which we can build and add other funds both public and private, to make those projects really successful. So without going into further details, other changes that can meet healthy facilities priorities include modest increase this is many of the existing facility operations allocations, and some future increases to those allocations, and a new allocation for the Portland expo center, which has not been included in this system. Third, consistent with the adequate visitor development fund priority. Two existing vdf, that's the visitor development fund allocations, are merged into a single allocation and increased to \$2.5 million annually. The vdf grants funds to meetings and conventions that are considering coming to Portland and are often the key to landing those major events, particularly in the slower times of the year. These grants have historically yielded a 27-1 return on investment, including a commitment to occupy the hotel rooms which, in turn, produces more tax revenue. Total estimated vdf allocations under the existing agreement through fiscal year 29-30 is \$19 million, which grows under these amendments to an estimated \$31.2 million in the amended agreement. Using the historic rate of return this investment could yield close to a billion dollars in economic activity to the region over the next ten years. And finally, consistent with the resilient reserves priority in the letter of agreement, a restricted reserve is maintained to provide funding for the operations and program allocations, everything but the bonds, essentially, in times of economic downturn. A strategic reserve of \$2 million is funded from existing reserves and will be used as necessary and only when necessary for special events or unique investment opportunities that yield an economic benefit to the community. And finally the existing bond redemption reserve is concerted to a general reserve to be used to fund the restricted reserve and the strategic reserve and as a backstop against economic fluctuations. With that, I will turn it over to ken to talk about oversight and governance.

Ken McGair, Senior Deputy City Attorney: Good morning mayor and commissioners. I am Ken McGair from the city attorney's office. In addition to the allocation changes, improvements are also made to fund oversight, and that was a key area of concern for the parties to the agreement. The amendments establish new triggers and a new process requiring the financial review team, which is made up of the chief financial officers from the city, metro, and the county with the cfo of travel Portland participating as a non-voting member to provide recommendations on the adequacy of the visitor's facilities trust account to meet all of the obligations and priorities. The vdfi board is empowered to make decisions on options to address the potential funding short-falls and their decisions are

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subject to review by a dispute resolution committee. If one or more of the parties to the agreement do not concur with the vdfi board decision, the issue may be referred to dispute resolution. The dispute resolution committee is made up of the mayor, the county chair, and the metro president. The vdfi board may participate but does not have a vote on the dispute resolution committee. Key aspects in this enhanced system of checks and balances are one, mandatory periodic reviews by the financial review team to get ahead of the financial downturns. Two, flexibility through the process to adjust the allocations according to a fixed menu of options in the event of a five-year projection indicating insufficient funds. This gives the system the ability to better manage the impacts of an economic downturn resulting in reduced revenues for the system. Three, in an insufficient funding event, there is an automatic reset provision to year one allocation amounts in the event of a failure of either the vdfi board or the dispute resolution committee to take action. This provides additional protection to maintaining the ability of the system to make all bond payments during a recessionary environment. And with that, we are happy to answer any of your questions.

Wheeler: Commissioner hardesty.

Hardesty: I want to thank you for meeting with me yesterday and doing a speed 101 conversation. I want to applaud the mayor. I know when I first got here, this is something that has been kind of hanging around for quite some time. I want to, for the sake of the public record, raise some concerns that I raised with you gentlemen yesterday. A, that the city of Portland has had no conversations about renovating the memorial coliseum or we have talked about the p5, but only as it relates to a roof. And so my concern continues to be that we are either obligating future city council members to development that they have had no say in, and of course, there has to be a vote of this body. In order for that to happen. My second major concern is whether or not the independent audit has ever been done. We yearly get reports from travel Portland telling us what a great job they do but I have never seen an independent audit that said, is this the right investment in clearly people know where Portland is now, so we are spending more money on tourism rather than less, and I would like to know why that would be. These are not questions that I expect you to answer today. I know that you are at the beginning of a strategic planning process, but I want to be very clear I don't want you to complete this strategic planning process and then tell us what you did. I would like to be engaged and involved as you are developing the strategic plan, so that it is consistent with the wishes of this city council. Thank you.

Wheeler: Good points, all. Thank you, commissioner. Any other questions? Very good. Do we have invited testimony Tom?

Rinehart: Chair Peterson?

Wheeler: Very good.

McGair: We have not confirmed that, mayor, sorry.

*******:** We do.

Wheeler: I see it. Just when you thought nobody famous would show up. In walks Metro president, Lynn Peterson, come on up. Thanks for being here. We appreciate it. Good morning.

Lynn Peterson: Good morning. Good to see all of you. Good morning mayor, commissioners. Thank you for having me here today. I wanted to come and just reiterate what a great partnership we have had through this negotiations. It's very, a very long negotiation. Our region is known as the go-to destination, and because of the great food, quality of life and our mass transportation system and stunning natural environment attract a lot of tourism. In 2018, visitors to Portland spent \$5.3 billion, and the tourism industry employed 115,000 Oregonians. This did not happen by accident. Nearly 20 years ago, the city, county, and metro leaders in partnership with tourism industry set up a ground-

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breaking system to invest tourism resources in the Portland destination. Through the visitor's facilities, we funded better conventions, sports, and arts facilities and invested in promoting Portland across the country and worldwide. That investment has paid off in bringing people here and supporting jobs at hotels, restaurants, and other tourism-related businesses. With the visitor fund, an agreement before you today we want to renew and update our longstanding partnership to bolster that economy and also fund programs that will move hard to serve homeless individuals into permanent housing. With two affordable housing bond measures approved over the past years by the voters in the city of Portland and the metro region, we are working hard to acquire and build more homes. I am here to report that we have approved on an initial basis about 10% of what the voters had said that they wanted to build the 3,900 units for 12,000 people, so by hopefully this spring, we will start to see some shovels on the ground on 345 units to start towards that goal. So that's an exciting start to this program. A critical part of succeeding in the fight against chronic homelessness is identifying funding for permanent supportive housing, providing services and support once someone is housed. These funds from taxes on tourists will be a welcome infusion of resources to match the city and metro affordable housing bond resources. We are at our best when we work in partnership to tackle tough issues. The investment of resources from tourism will not solve the homelessness challenge by itself. You guys have made great strides just this week to moving cumulatively in a new direction, and that's awesome, but doing nothing is not an option in this case. Our city and regional voters understand we need to start and continue to move those impacts forward so we can, actually, get results. The tourism industry leaders are joined together with the city, county and all right to take a step forward, and I urge you to support this agreement. Thank you.

Wheeler: Thanks. We appreciate you being here and thank you for your leadership and the leadership of the leadership of the metro staff, and I would like to extend my thanks to chair Kafoury, and her staff, and the county's staff, as well as the city staff that you saw sitting here, as well as Kristin Dennis from my office. It has been a long negotiation process but I think it's been an important one, and frankly, I think that it has helped us to better structure the leadership of the vdf, so thank you for everything.

Peterson: As the region grows and changes, so do we.

Wheeler: Absolutely. We evolve and we learn. Any questions for president Peterson? Thank you for being here. We appreciate it.

Peterson: Thank you.

Wheeler: Karla, is there anyone signed up for public testimony?

Moore-Love: No one signed up.

Wheeler: Very good, this is the first reading. Commissioner Fritz.

Fritz: I wanted to add to my thanks to everybody who has been involved in these negotiations. It's really important that we do an update of where this fund goes, thank you to president Peterson as well as mayor Wheeler and Kristin Dennis on his staff and for all the work, as well as the chief administrative officer and also the city attorney. While it's true this council has not voted on whether to renovate veteran's memorial coliseum, council under mayor Adams and mayor Hales have done so. The veteran's memorial coliseum has consistently turned a profit for the last several years, and it is the home of the winter hawks as well as various other treasured community events, so I am glad to see this revision does continue to allocate money to do the renovations that has been the council direction for many years.

Wheeler: Very good, this is a first reading of a non-emergency ordinance. It moves to second reading. Karla, we are moving to the regular agenda item number 1073, please.

Item 1073.

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Wheeler: Colleagues, we will consider allowing a temporary mobility hub at southeast 8th avenue and southeast stark street. And Portlanders can enjoy a mobility hub with electric bicycles and scooters, electric wheelchair charging equipment, on-street electric car-share parking stalls, and charging stations. There will also be outdoor smart furniture to charge phones and devices, and public restrooms. The mobility hub helps us to advance our climate action plan goals, helping to take Portland into a clean energy future. Matt Wickstrom is here from the bureau of development services to present. There he is. Thanks for being here, and good morning.

Matt Wickstrom, Bureau of Development Services: I am matt with the bureau of development services, I am joined by Shawna Brownstein from Portland general electric. I am doing it old fashioned today.

Wheeler: And tia, is there any way that we could get more handouts for people in the chamber today?

Wickstrom: I have more.

Wheeler: For people who are here? In case people want to follow along? I appreciate it. And sorry about this. Obviously, we had some technical difficulties this morning, sorry to interrupt.

Wickstrom: So we are here to talk about a temporary mobility hub, it's on pge property so at southeast 8th and stark, and the concept for the mobility hub is to integrate different modes of transportation, multi-modal supportive infrastructure, and place-making strategies, to create activity centers and maximize the first and last mile connectivity. I will go over the proposal but Shawna is here to go into more detail and answer your questions after I am done. The concept says, for the mobility hub as the mayor said includes electrified micro-mobile such as the scooters, ev smart car, car share, public transit, electric bicycle rental and electric vehicle, or wheelchair charging. Some of the place-making strategies that are included in the overall proposal would be smart furniture to charge the devices, public wi-fi, the ballot drop box, an attended restroom, job training and charging infrastructure maintenance, and food carts. The site is at southeast 8th and southeast stark. It is zoned ig-1, general industrial one, and it's in the central city planned district central east side subdistrict. The zoning issues related to the placing of the mobility hub at this location includes that the use would be categorized as a retail sales and service use, retail is limited to 5,000 square feet of exterior activity area, so not just building area, but the overall site in the central east side subdistrict. The zoning code has allowances for temporary activities or pilot programs like this, but they are limited to two weeks. This pilot program has a longer time frame and also, permanent changes to the site would be required, and our temporary activities, allowances don't allow permanent changes to be made, so those are just a couple of things that are coming with this ordinance today to correct so this mobile hub could move forward. So, overall, the ordinance really does two things for the -- with our temporary activity chapter. It extends the time frame that the temporary activity would be allowed to be there, and in this case, it would extend it until June 30, 2021 and then it also waives the prohibitions on the permanent changes being made or waives the need for those permanent changes. So, we are looking to extend the temporary activity allowance from two weeks to June 30, 2021 but only for a mobility hub, not for sales and retail type of use. Waive the prohibition on new permanent development to allow 10,000 square feet of retail sales and service exterior activity area, waive screening requirements for mechanical equipment, and the garbage and recycling, so permanent changes don't have to be made to the site. And then, finally, to request bps to work with the bureau of development services and Portland bureau of transportation in the future efforts to update the city code, including title 33 to address changing mobile needs. That completes my presentation.

Wheeler: Very good.

Wickstrom: I don't believe Shawna has any prepared remarks.

Wheeler: I will put a few more comments on the table. Thank you for the presentation. The vision here really is multi-faceted. Number one we are trying to create an accessible public gathering space that is both consistent with the smart city technology program that we have undertaken as a council and we are trying to meet our climate action goals and we are thinking about accessibility and inclusion as we go about this process. This is also a key partnership with the private sector, pge is heavily involved in the development of this first mobility hub, we will call it a pilot, and we want to see how the public reacts to it, what -- whether -- how people use it, where they think that we need to improve upon the model or change the model, this is an innovation for the city of Portland, and I am excited about it, and I appreciate the great work that you have put into it. Colleagues, any questions before we move to the testimony? Commissioner Hardesty.

Hardesty: Thank you, mayor and thank you very much for your presentation. I agree that this sounds like an interesting project. However, I want to -- I have a couple of questions, one is we are making personal changes for a pilot project and a section of the city where we are going to waive the zoning requirements for this particular project. Am I correct in that understanding?

Wickstrom: Permanent changes would be required, but we are waiving those permanent changes so they aren't required. In other words, no permanent changes would be --

Hardesty: If it disappears, everything would go with it?

Wickstrom: Exactly. That's the essence of the temporary activities chapter is that you don't -- you can have the temporary activity but you don't make it so that it essentially becomes a permanent activity.

Hardesty: How accessible will the restrooms and the charging stations and all that be to regular folks?

Shawna Brownstein: Thank you for the question. For the record, I am Shawna Brownstein with Portland general electric. Accessibility is really the focus of the project, and so the public restroom was an idea that came out of the mayor's office, and the idea there is really making that site accessible for the homeless and houseless population in the community. Another idea here is to provide public wi-fi, that would be accessible to people in the community. Data shows that everyone has a smart-phone, but not everyone has robust data plans to access e-bikes, car share, and scooters, and so having public wi-fi available there would enable everyone who has a smart-phone to access shows chairs. Whereas right now they would have to use their data if they are just accessing it off the street. So, we have given a lot of thought to how we make this as accessible as possible, and from where I am sitting, I have a son who uses wheels to get around so I've been thinking a lot about how does the community that uses wheels to get around, wheelchairs, how do they access the site, and that's why I thought a lot about the wheelchair charging, those who use electric wheelchair, getting stranded is a big issue so integrating that into how we think about the transportation electrification has been a key issue for me, as well.

Hardesty: I agree with everything that you said about that, except when you talked about ride shares. Do we have any data that shows the houseless people who don't own automobiles, actually, use lyft and uber and those kind of ones?

Brownstein: I was thinking more about -- I was not thinking about the homeless and houseless community there. I was thinking about the low income community who are using the public transit to get around, and who come into the central east side district for work or for tourism. I don't think that we have data. I don't have data on whether the houseless community uses lyft and uber to get around.

Hardesty: There is an emergency clause on this because of a conference that's coming up? Tell me about that.

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Brownstein: There is a conference coming up in June 2020 called the worldwide electric vehicle symposium, and it is a conference, it's a global conference around electric vehicles so there will be, over 1,000 people in attendance for the conference, and the idea here is to think through what they experience when they come to Portland and how, how Portland shows up around transportation electrification, so this would hopefully be a project we would showcase, perhaps, have a ribbon-cutting for, you know, for, at the conference, and think about how our community is integrating all of our different transportation needs and electrifying them, as well.

Hardesty: Thank you.

Wheeler: I want to put a footnote on the conference, it's not just a conference on electric vehicles, it's, actually, one of the largest conferences in the world, and it was a great get for Portland to be able to host that.

Brownstein: Absolutely.

Wheeler: Thank you, and we appreciate all of pge's leadership, as well. Any further questions? Public testimony on this item, Karla?

Moore-Love: No one signed up.

Wheeler: Very good, call the roll.

Eudaly: This is an exciting project, and I am especially pleased it includes charging for power chairs. I share your experience of raising a kid that gets around on wheels, as well as the public restrooms. To stop increasing the carbon emissions from the transportation sector we need to accelerate the adoption of the electric vehicle, electric cars, e-bikes and scooters have roles to play in making that happen. But just like we adapted the civic infrastructure to enable cars to be the dominant mode of transportation, we will have to adapt our infrastructure to enable and support the electric vehicles. To meet the climate goals, and make our city easier to navigate, we need this project to be successful to learn from it and replicate it at major transit hubs, commercial districts, and other community gathering places in the city. Our current code doesn't contemplate this type of use because it's new. So we need to continue to be flexible and creative to make this kind of innovation possible. We need to ultimately change the code to make doing the right thing the easy thing to do. So, thank you to bds and staff at pbot, the central east side, and pge for making this project possible. Please let my staff know how we can help as we move forward. I vote aye.

Fritz: This is an exciting project and thank you for all the careful thought that's gone into planning it and making sure that the zoning code issues have been addressed in the amount it has. I appreciate, also, the ordinance directs the bureau of planning and sustainability to work with the development services and transportation and to see what's needed to update the code as commissioner eudaly just alluded to. Thank you, all, so for the thinking about how to make sure that the port-potty is attended 24-7, and to address the issues that we have seen on the spring water corridor and elsewhere, where probably housed people are unkind to people unhoused and vandalize the port-a-potties, which so sad. And I appreciate also you thought about having a needle disposal and decided what the county's approval is to not do that, but again, this is a pilot so we can look at it, thanks for working with the Portland police bureau and the park rangers and to learn from them about some of the challenges that we have had in these spaces. This is a great step forward. Thank you. Aye.

Hardesty: I also look forward to seeing how usable this pilot project will be for all of the needs and the east side area where this pilot will take place. I am hopeful that there will be opportunities to hire houseless people. I heard that the restroom facilities would be -- would be staff that would be there, so I hope that as we think about what this pilot could look like that we truly integrate the community into that process. Look forward to seeing what comes out of this and what we learn that could be useful in the future. I am normally

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reluctant to change the code for special projects, but from what I have seen this has a promising opportunity to teach us something as we move forward. Clearly, we must change our transportation habits in a way that will get us to a greener future, so thank you very much, and I vote aye.

Wheeler: I just love the innovative nature of this project, and we're going to learn a lot from it. My expectation is this first iteration will teach us a lot about what the second iteration should look like. So when people see this, when they use it, they should understand that this is in the spirit of innovation, and trying to best deliver services to the public, but I am sure that we will get feedback, and that will refine future efforts. I thank the bureau, Matt all your work and everyone else's work on this, and I thank pge for stepping forward and helping us innovate, lead the efforts for the city of Portland. I vote aye. The ordinance is adopted. Thank you both.

Brownstein: Thank you very much.

Wheeler: Next up, 1074 on the regular agenda.

Item 1074.

Wheeler: On August 21 of this year, the city applied to the U.S. Department of Justice, Office of Justice Programs and the Bureau of Justice Assistance for the fiscal year 19 Edward Burn Memorial Justice Assistance Grant Program. One month later on September 21st, the DOJ awarded the fiscal year 19 Edward Burn Memorial Justice Assistance Grant to the city in the amount of \$377,097. Now, separate intergovernmental agreements will be executed with the city of Gresham and Multnomah County in order to obligate agency roles and responsibilities. The DOJ will reimburse the city for program expenses incurred by the police bureau and the joint applicants, the city of Gresham and Multnomah County. The grant period is October 1, 2018, through September 30, 2022. The council is declaring an emergency exists because a delay would jeopardize the awarding of the grants from the Department of Justice. Bob Del Gizzi is here with the Portland Police Bureau to answer any questions that the council may have. And if there is anything else that I should have said that I did not, please feel free to add it.

Bob Del Gizzi, Portland Police Bureau: My name is Bob Del Gizzi, Portland Police Bureau. To make sure that we captured all the points the mayor has identified most of them, the amount and the period, the grant that we are looking at, and the intergovernmental agreements that will be executed based on this ordinance. The city of Portland is the designated fiscal agents of the funds that are going to the county and to Gresham or passing through the city of Portland.

Wheeler: Commissioner Hardesty?

Hardesty: Thank you. You said that you did not say what the purpose of the grant funds would be used for?

Del Gizzi: Sure, I can walk through that. The city of Portland is going to spend two-thirds of the award that's dedicated to Portland on a pair of rapidly deployable, explosive disposal robots. These are an important element of our tactical ability to do tactical response. They are, from my understanding, you can deploy them by hand. They only weigh 65 pounds.

Hardesty: You said originally that these would be reimbursable expenditures that the DOJ is paying for? So, we're going to buy it, and then the DOJ is going to reimburse us for the -- for the equipment?

Del Gizzi: That's correct, and nearly 100% of the grants that the city receives are reimbursement grants. The award is given, the purpose area is identified, and allowed by the grantor. We submit receipts, essentially, that says that this is what we purchased. They look at it and make sure that it conforms with what we said that we would buy and then the city gets paid. That's true of almost all of the grants the city receives.

Hardesty: And is that the case, that are each of the other entities buying their own equipment or is this equipment that will be utilized by these three jurisdictions?

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Del Gizzi: Each of the other jurisdictions, Multnomah county, and the city of Gresham have their own designated award amounts, and they will be identifying -- well, they have identified what they are going to spend those funds upon. They will, through us, request reimbursement. We will request that of the u.s. Department of justice and pass those funds back to those entities.

Hardesty: Thank you.

Wheeler: Any further Questions? Thank you. Public testimony on this item, Karla.

Moore-Love: We have one person signed up. Maggie.

Wheeler: Come on up. Thank you. Thanks, bob.

Maggie: Good morning. I first didn't know what this was about, but then it became clear to me, I saw an article in the paper about the Arizona plan who sold the ammunition to the las vegas mass shooter, and not only did he have bullet piercing bullets that he was making, but he also had bomb-making equipment. And so, it's not surprising to me that they are coming here at this time to ask for this money. I just think that it is so sad. I would employ a few bleepable words here that we have to do this in this day and age. And it's unfortunately necessary. That's all that I have to say.

Wheeler: Thank you. Thank you, Maggie, we appreciate it. Any further public testimony, Karla?

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

Wheeler: Please call the roll.

Eudaly: Aye.

Fritz: Thank you for your work, aye.

Hardesty: Aye.

Wheeler: Aye. The ordinance is adopted. Next item, 1075, please.

Item 1075.

Wheeler: Item 1075 is the request to accept the two Oregon department of transportation traffic safety division traffic enforcement grant awards. The two grants are for safety belt and speed enforcement, and our annual grant programs for the police bureau's traffic division. The primary purpose of the safety belt overtime enforcement grant program is to maintain or increase the local compliance with motor vehicle safety restraint laws. Odot will award \$25,811 for reimbursement of the project's activities. The bureau will conduct safety belt overtime traffic enforcement during periods identified by odot, as funds allow, as well as the additional traffic enforcement coverage by the Portland police bureau. Odot also has notified the city it will award \$25,000 for reimbursement of speed enforcement grant program activities. The goal of the program is to reduce the number and severity of the motor vehicle crashes on local roadways with increased traffic safety in mind. The grant will focus on enforcement of speed laws, and statistically identified problem areas. Captain lorencio, of the Portland police traffic division, is with us today to provide additional details regarding the grant. That's what my talking points say. Hello, gentlemen.

*****: Hello.

Ty Engstrom, Portland Police Bureau: Good morning, mr. Mayor and commissioners. Thank you for having us here today. I am sergeant Ty engstrom, traffic division. And lieutenant steambrooke and here and captain lorencio is out of town today.

Wheeler: Neither of you look like the captain Lorencio. The disguises are not very good. Thank you for being here.

Engstrom: Thank you very much. First of all, we would like to say thank you to the council for your support. We recognize the support for the traffic division that you put forth recently, and we really appreciate it. I think that we are all on the same page here as we need to reduce the number of physical injury and fatal crashes, and as you are probably aware we had two more earlier this week. Bringing the total to 50 this year, which ties two years ago, and it is the highest that we have had in quite some time. So it's unfortunate,

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very unfortunate for that -- those individuals and their families. We thank you, for your support, and as you mentioned, these two grants are for speed and seat belt enforcement, you as the primary functions, and obviously, we are looking at other distracted or dangerous driving behaviors at the same time, as well, things are not getting a blind eye or anything like that, but the focus when we go out on these grants is speed and safety belt -- enforcement which play a role in the serious and fatal crashes that we often respond to. The city has had these grants in place for several years, and it's a continuation of being able to do the work that we currently do. Like what was said by the mayor, these are for overtime funds for officers to come in on their time off to help put added patrols out on the street during that time. We are here to answer any questions you may have. Thank you.

Wheeler: Commissioner hardesty.

Hardesty: I am curious, how many hours of overtime does \$25,000 buy?

Engstrom: Oh, boy.

Hardesty: If you don't know, it's okay.

Engstrom: I don't have the number. I can do math real quick.

Hardesty: I won't hold you to the number, I was just was curious. Is that like 10 officers? There is somebody behind you.

Engstrom: This gentleman probably does have an answer. It's about \$75 an hour for officers and a bit more than that for sergeants and divided up amongst those amounts. Last year I think that we were given about \$30,000 for speed grants. I think that we spent \$20,000 because we got it late in the year, and I want to say that there was upwards of, oh, 80 or 90 total hours or something like that.

Hardesty: I won't quote you, I promise. Appreciate you trying to answer that.

Engstrom: Thank you.

Wheeler: Commissioner eudaly.

Eudaly: Thank you, mayor. This item is a great example of the ways in which ppb and pbot could be working together since becoming the commissioner in charge of pbot, I have struggled with the need for increased enforcement of the traffic laws and the disproportionate impact some of our enforcement strategies have historically created, particularly, on the communities of color. This is not my personal opinion. This is what the data shows us. I am deeply concerned about the deaths that continue to occur on the streets and firmly believe that enforcement is an essential -- is as essential as education and improvements in the infrastructure that we are pursuing through vision zero to get us to the goal of eliminating traffic fatalities. Because of this I asked pbot to dig into what the community is experiencing around enforcement and use that information to inform recommendations about the best practices for equitable enforcement strategies. This grant provides funds for needed speed enforcement. It does not address the fundamental concern I and the many people have about how and where that enforcement will be targeted. And in light of that, mayor, I would like to request that ppb and pbot to work together to identify the ways in which these grant funds will be spent that align with the vision zero values for equitable enforcement and enhance the working relationship towards better community outcomes and reduced traffic deaths.

Wheeler: So, I think that that's a great idea, commissioner eudaly, and I know that over the years, the relationship between pbot and ppb on some of the vision zero issues has -- it has been a good relationship or a less good relationship, depending upon who the personnel are and what their relationship is, and I would like to formalize that relationship. I think that it's critically important that we have traffic enforcement and pbot on the same page because as you know better than anybody on this rostrum, it's about engineering, it's about education and it's about enforcement and I think that there is broader ways to have the bureaus work together to be effective. Ty you have a comment.

Engstrom: Mr. Mayor, excellent point, commissioner. Thank you very much for bringing that up. I took over vision zero related responsibilities for the traffic division about three years ago or so, when the sergeant retired. About that same time, we started coordinating with pbot to work on these issues. We wanted to have good communication amongst us, and we started having a monthly coordination meeting. Not sure if you are aware of that, but I think that it's second tuesday of every month or something like that, that we meet together and go over different talking points that have to do with the traffic division, and safety on the roadways, that involve both bureaus. I think that we are doing a pretty good job of working together on those points, and as the mayor alluded, sometimes those relationships are not as good but we have a pretty good relationship, I think, with pbot and we work pretty well together. With regards to these grants and enforcement within the grants, the seat belt grant is wide open, citywide, officers can go to where they see more of this type of behavior or they have a good vantage point where they are looking directly into the driver's window or something like that. When it comes to the speed grant, which I have been the manager or the acting manager for, for the last few years, we try and focus on the high crash corridor streets that have been identified by odot, pbot, as well as the traffic division. So sometimes that's a specific high-crash corridor street like division or maybe just an area like Fessenden where we have had bad crashes. We have written the grant application in such a way that over the -- it used to be very specific. You have to be on a high crash corridor, but we have written the language into the grant that, in the last couple of years, because I had concerns and I want to be able to work this in other places, that we can do it in other areas where we deem appropriate, whether it's because of fatal ones and other things. It's where we are seeing the dangerous behaviors, and we can move around the area, and it doesn't have to be division and powell and burnside way out in east Portland or something like that. It includes bhh and barbur and -- yeah.

Eudaly: A couple of follow-up questions. For the seat belt enforcement side, was that grant specifically for seat belts?

Engstrom: Seat belt enforcement, child safety seats.

Eudaly: So it's not that we chose to focus on that, that's what the grant was?

Engstrom: That's what that grant is for, and it used to include other things like they would put on classes, on how to install the safety seats for children, and stuff like that, and now, it's mostly -- its primary focus is seat belts and child safety seats enforcement and education, and as well as secondary speed enforcement on that grant, as well.

Eudaly: That makes sense. I did wonder why we would focus on the seat belt enforcement when we have a 98% compliance rate, and it's not, not wearing a seat belt that causes an accident, but it's speeding and impairment and distracted driving so it would make sense to me if the officers had overtime to pull over people on their cell phones, for instance, but I understand that there are parameters of the grant that we have to function within. And I am glad to hear that you have been working with pbot. I understand that at the outset of the vision zero there was a decision to deemphasize enforcement due to the concerns around desperate impacts, and those concerns were named, but we have had a desperate -- we are seeing a desperate impact, which is, for instance, pedestrians in east Portland are twice as likely to be killed walking down the street as elsewhere in the city, and so that's something that we need to carefully address, and I look forward to working more closely with the bureau.

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

Moore-Love: Yes, one person, Maggie.

Wheeler: Very good. Come on up. Two minutes, please.

Maggie: I am looking forward to a time Portland, Maggie. Portland homeless, town hall. I am looking forward to a time when pedestrians have more clout and more power to have some greater say. I am looking for a reduction in cars, I am looking for a time when scooter

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riders will come in and feel they are being discriminated against because they have to watch out for pedestrians. I think that there is an education component and an enforcement component. And as far as the education component goes, I think that we have laws going all the way back to the 16th century to our marine highway traffic laws that talk about who has the right-of-way and when you are a big, huge, fast maneuverable vehicle, guess what, you don't have the right-of-way. The pedestrian has the right-of-way because they are the slow moving, less maneuverable vehicle that is more vulnerable. And that goes all the way back to the 16th century, so I would like to see kids get scooter, you know, rider education, not just about wearing their helmet or not just about wearing your seat belt, but to learn how to move in this world where they are going to have to watch out for pedestrians, and if you have a guy with cerebral palsy or a paraplegic in his wheelchair, when he's doing 20, 25 miles per hour, and he runs over a little old lady, man, he's got to be cited and get a ticket.

Wheeler: Thank you. Appreciate it. Any further discussion, call the roll.

Moore-Love: It's a non-emergency.

Wheeler: It's an emergency ordinance, according to mine.

Eudaly: I don't have a star.

Fritz: I move we add an emergency clause.

Hardesty: Second.

Moore-Love: I have 1075, correct?

Wheeler: We are on 1074.

Fritz: We did that.

Wheeler: You are right, I stand corrected. Okay. So we have a motion from commissioner Fritz. And a second.

Fritz: We heard this last year.

Wheeler: I apologize. I was on the wrong line. Please call the roll.

Eudaly: Aye.

Fritz: Thank you for your work on this, aye.

Hardesty: Aye.

Wheeler: Thank you for the presentation and I appreciate it. Thanks for answering our questions. Commissioner eudaly, I want to thank you for raising the issue of coordination between bureaus and I was glad to hear sergeant Engstrom talk about the relationships developed with pbot, I think that there is always more that we can do to coordinate those efforts, and that includes with the citizen advisory committees. So, I appreciate that, that gesture. I vote aye. It is approved, thank you for being here. Thank you. Main motion, as amended.

Eudaly: Thank you for your work.

Wheeler: It's Wednesday.

Eudaly: Like I said, I look forward to working to go with pbot and ppb, and I vote aye.

Fritz: It is a team effort to get through this agenda, aye.

Hardesty: Thank you very much for being here today. I am hopeful that as pbot and as pbot and Portland police continue to build the relationship, that somebody will mention that you cannot actually read the street signs at night. I think in that, actually, contributes to the frustration of the people trying to figure out where they are going. And all these pieces have to work together. It's important that people are safe in our community. I vote aye.

Wheeler: Well, I think that I am a living example of the perils of multi-tasking. That is just the nature of the beast, so thank you, colleagues, for your forbearance and the humor. I vote aye. [gavel pounded] the ordinance is adopted as Amended. Thank you, gentlemen, for your presentation. I appreciate it. Thanks for your good work. Next item, 1076.

Item 1076.

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Wheeler: Colleagues, this non-emergency first reading of an ordinance is routine internal city business process to assess the property owners for sidewalk repair charges. That's too soon for me. Near and dear to my heart. In this legislation there are a total of 182 properties and \$408,632.17 to be assessed. Good morning.

*****: Good morning.

Sherree Matias, Office of Management and Finance: I am the chair from the revenue division.

Lee Munson, Portland Bureau of Transportation: Lee Munson from pbot.

Matias: This ordinance is for sidewalk repair on property that is required by the city. Any remonstrances have been pulled from the assessment and are not in this ordinance.

Wheeler: Very good. Any questions, colleagues? Public testimony on this item?

Moore-Love: Yes, two people signed up. Scott melville and maggie.

Wheeler: Very good. Come on up. Stay close, we might need some clarification. Maggie is taking a pass. Is Scott here? Very good, this is a first reading of a non-emergency ordinance, it moves to second reading. Next item 1077 is the second reading.

Item 1077.

Wheeler: Colleagues, this is a second reading. We have heard a presentation and public testimony on this item. Is there any further discussion? Seeing none, Karla, please call the roll.

Eudaly: Aye.

Fritz: I greatly appreciate the work of Lester Spitler the chief procurement officer, and there is good changes in these amendments. For instance, creating a process for approving unsolicited proposals, allowing the bureaus to contract directly with the minority and disadvantaged certified firms, and \$150,000 for services, and for \$1 million for prequalification, and also, removing the procurement office from the intergovernmental agreement process. However, I have serious reservations about three of the proposed changes. Allowing the bureau directors to award grants up to \$15,000, up from \$5,000. It was said this was due to inflation, however, the adjustment for inflation since 2010 would be \$5,887, not \$15,000. And I think that allowing the bureau directors to give unlimited grants of \$15,000, without public review is a serious mistake. It also allows the bureau directors to approve the intergovernmental agreements up to \$100,000, thereby, binding the city to agreements without the consent of the council, and increases the authority of the bureaus with the commissioner in charge sign-off to approve the emergency contracts up to \$500,000 without requiring council review and approval, and therefore, having no ability to look at what the minority and disadvantaged and women businesses have been awarded in those contracts. And so, for these reasons, I have to vote no.

Hardesty: I thank -- while I think some of these changes are unnecessary and have been in the making for a very long time, I share some of the concerns that commissioner Fritz raised, but I am concerned that raising the limit from \$250,000 for cobid contractors to a million, I am told creates more opportunity. However, no company goes from being a \$250,000 company to a million dollar company without some supports built in, and we have not done a good job of, actually, contracting with minorities and women at the \$250,000 rate, and so, I am reluctant to support a plan that would pretend that some how we are going from 250 to 1 million when we have not effectively done the \$250,000 role. Therefore, I will be voting no.

Wheeler: So, colleagues, I am hearing your concerns, and your criticisms on this particular item, and I think that we had some really good conversations, and I think that some very valid questions were raised. I want to respect the work that the office of management and finance has put into this. I think that they have come a long way on this. So, I will vote no on this, and so that the item fails, and then I will ask for a motion for reconsideration.

Fritz: Move to reconsider.

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Wheeler: We have a motion and a second. Colleagues, what I would like to do is with, withdraw this for now, and I would like to bring it back to my office and let's keep working on it with your approval. Very good. We are pulling this item back, Karla.

Fritz: Do we have to vote on the motion.

Wheeler: Legal counsel?

Linly Rees, Chief Deputy City Attorney: Yes.

Wheeler: Call on the motion to reconsider.

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

Wheeler: Aye. [gavel pounded] so the item is being reconsidered. It's pulled back to office for further review, thank you, colleagues. We are now in a position where we can go back to the time certain items. Karla, please call 1060.

Item 1060.

Wheeler: Colleagues in 1869 America celebrated the inauguration of the first trans-continental railroad. It was a major milestone in our evolution as a nation. But lost in the celebration then, and for decades, and even a century afterwards, were the courageous workers who sacrificed their all to make it happen. Those workers included thousands of immigrants from around the world. Chinese as well as native Americans and African-Americans who worked on some of the most treacherous stretches of the railroad. Often they were paid less than other workers. They were chastised, discriminated against and mistreated. After the work was done, to add insult to injury, their contributions were largely forgotten. As we celebrate the 150th anniversary of the trans-continental railroad, I want to take a moment to also acknowledge the contributions of Chinese immigrant labor who are often underpaid and unrecognized for their work. To be clear, the trans-continental railroad would not have come to fruition without Chinese immigrants. 150 years later, we're long overdue in shining the light on the good done by all the railroad workers, including those who have been excluded from history. It's time to recognize and honor their enduring and historic achievements and contributions, and I want to thank Helen Ying for bringing this resolution, or this proclamation forward, and with that, I will now turn it over to Helen Ying, the national executive vice president in the Portland Lodge Board Director of Caca. Gloria Lee, who is a Portland Board member, and Neil Lee, the Oregon Chinese Consolidated Benevolent Association president, and Duncan Kwon Apano associate director. Thank you for being here and thank you for your hard work on this important proclamation.

Fritz: Excuse me, could you please turn the light off of your phone? It's bright in our eyes. Thank you.

Wheeler: Thank you for being here today.

Helen Ying: Thank you, Mayor, and thank you, Commissioner Hardesty, Commissioner Fritz and Commissioner Eudaly for this opportunity for us to come before you this morning. I understand the projector is not working. I think that you have the slides before you. And I am going to present the presentation as if I did have the projector working and I am going to say this is slide two so you can follow me along.

Wheeler: Thank you, Helen.

Ying: And for the people in the room, I believe that we have copies, hard copies that are made that are at the table by the door, so if you would like a copy, please go ahead and grab one.

Wheeler: And Helen, we apologize, there was a problem with our monitors up here, so this morning, we had a contractor in to fix the monitors, and they fixed the monitors but in the process of fixing the monitors, they managed to discombobulate the overhead projector, so Murphy, has injected himself into our hearing a bit, but thank you for your patience.

Ying: And I wanted to share with you everyone in the room the slide presentation is really marvelous. I am happy to, you know, to share copies with you all if you would like it.

Wheeler: We will make sure it gets onto the record and the website, as well.

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Ying: That would be great, so beginning with slide 2, on May 10, 1869 the last spike of the transcontinental was ceremoniously driven in Utah. Joining this central Pacific railroad and a Union Pacific railroad to form one continuous railroad to connect the east to the west. It was a nation-wide celebration right as the last golden spike was hammered in place, announcement of the railroad's completion went out by telegram. A trip across the country to California, which once took six months, now only took 3.5 days. Next slide. But as many of the workers -- but many of the workers who had built the railroad were all but invisible at the ceremony. It has been retelling for many years afterwards they included about 15,000 to 20,000 Chinese immigrants, up to 90% of the workforce on the central Pacific line, who were openly discriminated against, vilified, and forgotten. Next slide. Looking back, historians say that the Chinese who began arriving in the United States in significant numbers during the California gold rush of 1848 to 1855, were deemed too weak for the dangerous, strenuous job of building the railroad east from California. Hilton Obenzinger, associate director of the Chinese Railroad Workers in North America Project at Stanford University said the central Pacific railroad director Charles Crocker recommended hiring Chinese workers after the job that resulted in only a few hundred responses from white laborers. He says white workers whom the company wanted did not sign on in numbers anything close to what was needed. Next slide. The western half of the tracks consist of the most treacherous, steep, and dangerous terrain. Those workers pounded on solid rock from sunrise to sunset, hung up steep mountain cliffs, and in woven reed baskets, and with the harshest winters on record in the Sierra Nevada. They were paid less than white workers, and hundreds lost their lives as a result of the dangerous work. Next slide. Their job duties include everything from unskilled labor to black-smithing, tunneling, and carpentry. According to the project with most work done with hand tools. They also had the most difficult and dangerous work including tunneling and the use of explosives. There is also evidence that they faced physical abuse at times from supervisors. They protested these and the long hours and they used their collective strength to challenge the company. Next slide. They toiled through back-breaking labor during both frigid winters and blazing summers. Next slide. Hundreds died from explosions, landslides, accidents and disease, and even though they made major contributions to the construction of the transcontinental railroad, these 15,000 to 20,000 Chinese immigrants have largely been ignored by history. Next slide. In fall of 1865, the Chinese workers began building 15 tunnels, most of them high -- at high elevations through the Sierra Nevada for a total of 6,213 feet. Next slide. The most difficult tunnel was number six. The Summit Tunnel. Winters were especially dangerous. Avalanches would sweep away camps of Chinese workers, carrying them -- many to their death says. Next slide. 20 workers died in one avalanche and individuals disappeared in smaller snow slides. Some frozen bodies were found in the spring and their shovels or picks still in their hands. Next slide. On April 28, 1869, ten miles and 56 feet of track was laid in one day. The accomplishment was in response to \$10,000 wager Charles Crocker made with Thomas Durant with the Union Pacific that his workers were capable of doing what seemed impossible. A squad of eight Irish rail handlers and a small army of 5,000 workers, mostly Chinese, accomplished the feat. The names of the eight Irish workers were recorded by the railroad and they were hailed in a parade in Sacramento. None of the Chinese workers' names were recorded. They remain nameless. Next slide. Leland Stanford, president of Central Pacific, former California governor and founder of Stanford University told Congress in 1865 that the majority of the railroad labor force were Chinese without them, he said, it would be impossible to complete the western portion of this great nation enterprise within the time required by the act of Congress. Next slide and who else but Americans could have laid ten miles of track in 12 hours? John A. Volpe famously asked. Who else but Americans could chisel through miles of solid granite? Who else but Americans could have

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chisel ten tunnels in mountains 30 feet deep in snow. In fact, it was chinese and irish workers who achieved that feat. In the years that followed the chinese workers would face rising anti-immigrant sentiment and violence and barred from citizenship by the 1882 chinese exclusion act. Connie young has told her story many times before, but on may 10, 2019, invited by the state invited by the state of utah and the national park service she stood on stage in front of 20,000 gathered for a triumphant celebration and opened by saying my great-grandfather Lee wong-sing was one of the thousands of unsung heroes building the railroad across the sierra nevada mountains, laying tracks through to utah uniting the country by rail. Many descendants of chinese railroad workers are here today. This is a far cry from 50 years ago. My mother was only such descendant present then. Why were the chinese denied their rightful place in history at the 100th anniversary? Why was the president of phillip choy the chinese historical society of america kept from making a presentation on the official program? The contribution of the chinese continental railroad was kept from national memory. The chinese exclusion act of 1882 stopped immigration of chinese laborers and denied all naturalization to u.s. citizenship. In 61 years the law excluded chinese from american history and reason they were excluded on that day was because john wayne showed up and he was given the mike instead. Next slide. Connie young yu says when her parents joined a delegation of chinese american attended a 1969 event commemorating the first transcontinental railroad they were upstaged by Hollywood star john wayne. Now 50 years later she and others descendants from chinese immigrants who built much of the rail line are looking forward to the 150th golden spike anniversary in Utah for rightful recognition they said is so long overdue. This project is a cornerstone of the chinese american history. Thank you and I would like to -- there's a few slides that I added for gloria and the first one says, a generation which ignores history has no past and no future, and gloria will take it from here.

Gloria Lee: Good morning. I'm gloria lee. I'm a volunteer board member with the chinese american citizens alliance. Among many things. I found this quote and I really am a lover of science fiction and robert heinlein wrote a stranger in a strange land. His quote was a generation which ignores history has no past, and no future. That's why we're here today. There's a bit of irony in using his quotes heinlein as many of you probably have read stranger in a strange land, which is a fictional story that focuses on a human on mars raised by martians and his adaptation to understanding earthly humans and their culture on earth. So might there be similarities to what our chinese ancestors experienced upon arrival in america? The contributions of the chinese in america have long been ignored and diminished. I know people can't see the slides, but it's interesting that it is very hard to find pictures of any of the chinese that worked on the transcontinental railroad because no pictures were taken of them. Now, they were ignored due to not just racial discrimination but fear, differences, jealousy, and a really human attempt to protect that which you know and that which you grew up with and discard what is foreign. So the chinese working on the railroad lived separately, ate separately, and were paid the lowest wages of any of the workers. I am a first generation chinese american, the epitome of the melting pot assimilation. We still practice those tenets today although we have all the dei going on in the city we still practice melting pot tenets because there's a proclivity to label chinese as all the same based on appearance. If I had a nickel for everyone that has ever asked me if I speak chinese, I would be very, very wealthy today. So bear with me while I run through this. And why. One does not just speak chinese or write chinese. There are seven named dialects with likely another 200 sub dialects. In Portland the main dialects are Cantonese and mandarin. There are two written languages, traditional and simplified. The difference between cantonese and mandarin is the difference between french and english. The chinese who labored and toiled building the infrastructure of the transportation system for America came from the pearl river delta of gwong dong which used to be called canton,

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which is where my mother is from. The language is *twoi san*, a dialect of cantonese. The written language is traditional characters that still use today in hong kong and taiwan. The language of the descendants of the railroad workers is cantonese and likely *twoi san*, the written language is traditional chinese. Today in Portland younger generation chinese speak mandarin and write simplified chinese, which came into existence approximately '50s and '60s. So it's critical and important to the cultural history of the chinese in america that our new chinese generations and chinese americans recognize the contributions of their forebears in the making of america. Until chinese and chinese americans in america have a place in the social studies curriculums of our public schools, a lot of this will be lost to future generations of chinese and chinese americans. A generation which ignores history has no past and no future. I think helen spoke about 50 years ago, which is recently, on may 10, 1969, the 100th anniversary of the completion of america's first transcontinental railroad was celebrated in promontory, utah. Previous to that celebration centennial officials had agreed to set aside five minutes, five minutes, for the chinese historical society to pay homage to the chinese workers of which there were 15,000 to 20,000 who had helped build the railroad. Many had gathered in promontory, utah, that day. They hoped this would be the moment where the chinese who labored on the railroads would be recognized. There were not a lot of photographs and not a lot was said. What I didn't learn until just now it was john wayne who interrupted the celebration. They never got a chance to speak, the five minutes that they were promised never happened. Transportation secretary at that time was john volpe, who did speak. He made no reference to the chinese immigrants who made up 90% of the central pacific railroad and performed some of the most deadly work at lower wages than white laborers. They also had to seek their own food and shelter, many of them slept in the tunnels that they were working on, but they were ineligible to become naturalized citizens understand federal law. Our hope is during this 150th anniversary of the transcontinental railroad the story of up to 20,000 chinese railroad workers will be told. Ghosts can be laid to rest and future generations can stand proud and be counted. We are made by the history of our ancestors. Unlike the recognition of the chinese railroad workers who have all passed, we have a really small window of opportunity to honor, recognize and present the congressional gold medal of honor to chinese and chinese americans who served during world war ii. There's a slide -- sorry. I think -- although many of the 20,000 are now in their 90s, 95, some are still living and we're seeking to reach all veterans and their families. Our history is part of america. The chinese american citizens alliance got its beginnings in 1895 as the native sons of the golden state in san francisco, california, this was done in response to racism and prejudice that limited not just employment and education but housing, insurance and banking opportunities. In 1915, the name chinese american citizens alliance was adopted as more states came in. We're now 19 lodges across the united states and the Portland lodge will be celebrating its 100th anniversary in 2021 with the theme generations together. Please join us. Thank you very much.

Wheeler: We appreciate it very much. Thank you.

Ying: Next we have Neil Lee ccb presentent to share with you some of his thoughts.

Wheeler: Excellent thank you, welcome.

Neil Lee: Good morning. Good morning, mayor wheeler, commissioners eudaly, Fritz, hardesty, and mr. Fish who is not present today but I want to recognize his ongoing support for the chinese community. My name is neil lee. I'm president of the Oregon chinese consolidated benevolent association and the Portland lees association. I'm also an architect and I operate one of only three chinese american owned architectural firms in Portland. You probably have seen me on the Broadway corridor steering committee and i'm a long time volunteer reviewer of the city of Portland's minority evaluator program. My great-grandfather came to america in the late 1800s. He found his way to Portland where

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he opened a successful chinese grocery store in old town chinatown. I'm the first generation in my family to be born and raised in Portland. What does this proclamation mean to me? Well, reliving the stories of the chinese working on the railroad was very inspiring to me. In fact, one day while I was designing the south waterfront station on the Portland-milwaukie light-rail project, it occurred to me that the chinese americans are still working on the railroads. What a profound connection. I had the fortunate opportunity to help connect two cities, but my ancestors before me worked very hard and braved many dangers and hurdles to connect a nation. Today's proclamation affirms that our chinese community was and is a prominent contributor to the development of our railroads, our cities, and our nation. So why is it important to continue to commemorate this event in history? The united states was built by all walks of life and all types of people from different cultures and backgrounds. We need to continue to tell the story from we, the people, all the people, to tell a complete and robust story of our history. We need to remember what we did in the past so we can all do better and be proud of what we are doing today and in the future. It's my belief that inclusiveness is a valuable asset. Working together collaboratively with different views and opinions from different cultures and walks of life can bring more understanding and better outcomes. Let this proclamation be a reminder to us of all the great things we are capable of doing together to be inclusive and to give recognition to all those who contribute, big and small, to the betterment of our community and nation. Thank you.

Wheeler: Thank you.

Ying: Next we have Duncan to share with us, go a head and introduce yourself.

Duncan Kwon: Duncan Kwon Apano thanks for having me. Mayor wheeler, and commissioners, on the 150th anniversary of a transcontinental railroad. I'm struck by how many similarities there are to so many immigrant stories you hear today including my own family's. At the start of 1849, there were only 55 chinese men living in the u.s. Then due to the california gold rush over 150,000 chinese came over to find work and try to make their fortunes. A series of wars, floods and famine had made earning a livelihood in china extremely difficult at the height of colonialism china was militarily defeated by the british in the opium war of the 1840s and southeastern china was in ruins caused by the ti ping rebellion. Many chinese immigrants crossed the pacific, a very difficult three-week journey, for which they could barely afford steerage class. They came for opportunities for a better life for themselves and their families. Over the past 170 years, chinese have been coming to this country for many of the same reasons. Today there are over 2.5 million chinese americans living in the united states. Today we honor the story of some 20,000 chinese railroad workers for their hard work and sacrifice. This is an important and necessary milestone. However, a proclamation is only the first step. I'm also deeply interested in how we have grown as a nation over the past nearly two centuries and I can think of a number of next steps. First, the story needs to be part of our educational system and is a reason why african-american studies are so important. This is about a story about my communities early experience in America and that's also a story that we see repeated nearly every day in the news. People from around the world, from china to south america are still making the same difficult decision to uproot themselves from untenable situations and travel thousands of miles to this country. We are locked in a constant debate as to whether immigrants are valued, contributing members of our social fabric or they are here it take jobs or commit crimes. That's why it's so important to recognize contributions and sacrifices of immigrant communities throughout history. It's part of a narrative we're trying to build. Second it's extremely valuable today to invest more deeply in civic engagement then civic empowerment to continue bringing new voices to the table. When my parents moved to this country they started the first chinese restaurant in upper michigan. They couldn't vote and showing up at city hall to talk to elected officials was not something that

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entered the realm of possibility. While my mom worked I was often in the back eating free food and doing homework. They worked so hard so I could go to law school and become a community advocate. Today in our work in the jade district I can walk into almost any of the restaurants and see that same kid in the back doing homework and their parents are working hard. So these are important voices the city needs to keep hearing from. Finally, I would encourage us to continue to actions that would help Portland become a safe, welcoming space where immigrants with thrive through a lens of past inequity and racism I want to thank council for a number of things and I thank you for investing in Portland united against hate so we can address hate crimes within our community. Thank you for supporting initiatives like the inclusive business network so people of color, entrepreneurs, have a best chance to be successful in creating small businesses and thriving. I want to thank you for supporting initiatives in the jade district, roughly 25% of Portland asian america community lives in this one neighborhood, so thank you for the investments in affordable housing, community health clinics, safety improvements and economic empowerment. It is up to us now to reflect and honor upon the lessons of the past and create the conditions of the future where we no longer have to recognize great accomplishments made despite the most inequitable and unjust circumstances. We should no longer have to work in the shadows of history. Thank you so much for this opportunity to highlight this important contribution of chinese americans. Let's continue to forge ahead for our community today. Thank you.

Ying: Thank you, Duncan and thank you Gloria and Neil. I want to close with a quote from james baldwin, mayor and commissioners. History is not the past. It is the present. We carry our history with us. We are our history.

Wheeler: So before I read the proclamation, first of all I want to thank you all for this presentation. It was heartfelt, it was provocative, and it was informative. Helen, I want to thank you in particular. We have had some conversations about this proclamation. You helped illustrate the history behind the history. If you will. I'm glad that people in this city have the opportunity to hear the panel's conversation today. It was outstanding. I thank you for being here. Before I read the proclamation i'll entertain any comments from my colleagues. Commissioner eudaly.

Eudaly: Thank you, mayor. I want to thank you for bringing this item to us today. When I saw we were set to recognize this anniversary flags went up for me because we can't continue to recognize and celebrate historic events and figures without addressing the real history, the problematic history and past harms that have been done to communities, especially communities of color. I have significantly edited my remarks because I don't need to preach to the choir and you're here to teach us. I don't need to teach you anything about this history, but I do think that I would like to put a few remarks on the record. Despite how instrumental chinese workers were in constructing the transcontinental railroad, our society repaid their labor and their sacrifice by nearly writing them out of history. Chinese workers were subject to prejudice, discrimination and inhumane treatment. Central pacific offered higher pay, meals and shelter to white workers while chinese laborers were paid less and expected to feed and shelter themselves. Due to this policy Chinese workers often had to live in the unstable tunnels they were constructing. More than 1,000 workers died in accidents and avalanches. This type of revisionist history is all too familiar to our immigrants communities, and sadly the prejudice, discrimination and humanity persists today, 150 years later. This is why we need to do better as a city and a country, not just to recognize and celebrate the contributions of our immigrant communities but to stand with them and defend them and especially in these particularly difficult times. So thank you very much for bringing this to us, for being here today and for sharing your stories.

Wheeler: Thank you. Commissioner Fritz.

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Fritz: Thank you for your leadership in our community. Thank you for teaching us over many years. Thank you for teaching me over the 11 years that I have been on the city council. Thank you, helen, for your leadership as well. I'm awed by the presentation. It was really moving and taught me a lot that I didn't know. I'm really sad about this -- happy and sad about the congressional gold medal. It says mr. Fred lee was presented with a framed copy of the confirmation letter from the chinese american world war ii veterans recognition project to inform him of his eligibility to receive the congressional gold medal was confirmed. The congressional gold medal will not be presented until the speaker of the house officially holds the congressional gold medal awards ceremony on capitol hill in 2020. How long did they think that they can just delay doing this? For heaven's sake, if there was a time to waive the protocol and do it earlier they should be doing it every time they find somebody who is eligible. On behalf of politicians I apologize. That's not right. It's just not right. If it was here we would be doing it today. But I appreciated the representative from apano noting that the city has tried to put our money where our mouths are. We are going to do a proclamation and have been supporting Portland united against hate, we supported apano with construction of the new building and with the jade district. So that's good for all of us. And it's not only the chinese american community that benefits, it's good for all of us because when you thrive we thrive and vice versa should be the case. Thank you so much for being here.

Wheeler: Commissioner hardesty.

Hardesty: Thank you, mayor. Thank you all for such a compelling presentation. It's hard to be in the room with helen and not learn something new. I have known helen for a long time and yet she continues to teach me very lovingly, very kindly, very intentionally. I thank you for the years of your service in doing that. I have toured the chinese museum in seattle that tells the story very eloquently with all the warts and all the challenges that come with telling an honest story of our history. The african-american community and the chinese community share so much when it comes to the history of how acceptance has happened in the united states of America and in spite of others' best efforts we continue to thrive, we continue to raise families and start businesses and are productive, contributing members of the community. You have the added burden of being the model minority, right, because heaven forbid a chinese person would need help from anybody, right? You have the extra burden that you carry because it's hard for people to see the lack of investments that have been made. I'm so happy that we do this periodically because we learn so much about the hidden history and one of you said if this is not part of the education curriculum then we lose an opportunity to actually educate the next generation of Oregonians, right? We can prevent some of the mistakes of the past if people actually understand the past, right? I'm going to steal this quote that you used, helen, a generation that ignores its history has no past and no future. That really touched my heart because it's absolutely true. If you don't know your history you're basically erasing some core parts of your being. I want to thank you all for being here. I want to thank you for the kindness in which you are very intentional about sharing the history with all the warts and know that we strive to be better, much, much better, than we were regardless of what's happening at the national level, craziness happening there but that's not who we are, not as Oregonians, that's not who we want to be and who we want to be for the future. I greatly appreciate you. Thank you.

Wheeler: It's now my honor to read this proclamation on behalf of Portland city council. Whereas the advent of the railroad in the 1820s many americans held a vision, a binding together the nation through the construction of a railroad across the nation from the atlantic to the pacific; And whereas building the first major national transportation infrastructure necessitated the employment of thousands of workers, many chinese and irish immigrants, mormons, native americans, african-americans, many others who joined to work together to construct the railroad; And whereas those thousands of workers often went

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unacknowledged for their hard work and sacrifice so we honor them here today; And whereas united states industrialists recruited thousands of chinese workers to assist in the construction of the railroad making up 80% of the western work force, were paid substandard wages and faced grueling hours in hard conditions in order to lay hundreds of miles of track; And whereas because of their hard work and the hard work of others who have not been historically recognized, the impact of the transcontinental railroad in the 19th century has been likened to the impact of modernization in the 21st century transforming communications, commerce, and industry. Facilitating the movement of people across the country and increasing the global prescience and significance of the united states of America; And whereas we recognize the 150th anniversary of the completion of the transcontinental railroad and celebrate the tireless efforts of the chinese immigrants and all of those who overcame brutal obstacles, both natural and technological, to achieve the goal of uniting the country from coast to coast. Now, therefore, i, ted wheeler, mayor of the city of Portland, Oregon, the city of roses, do hereby proclaim November 20, 2019, to be the 150th anniversary of the completion of the transcontinental railroad in Portland and encourage all residents to observe this day. Thank you. [applause] can we get a photograph?

Ying: Could I invite all our guests?

Wheeler: Invite whoever you would like. Thanks for being here. We appreciate it. Items 1061 and 1062, could you read those together, please, Karla?

Item 1061.

Item 1062.

Wheeler: So we're here today to follow up on the bicycle parking code update project. This project amends title 33. Last week we forwarded a number of amendments to the bicycle parking code update project. These amendments are outlined in the memo provided by staff. Today the plan is to vote on those amendments and the next week will be the second reading of the two ordinances and the final vote. First a housekeeping item as a reminder we closed the oral testimony last week as you'll recall but allowed the written record to remain open for people to provide testimony on public hearing and the amendments that were forwarded last week. However, I'm now closing the record before we vote on the amendments. So this is the official notification that the record is officially closed. Before we recap these amendments, have a discussion and vote, do any of my colleagues have any additional amendments they would like to introduce at this particular time? I don't see any. So I would like to bring up both Portland bureau of transportation and bureau of planning and sustainability staff to help walk us through the amendments and the votes. Good morning.

*****: Good morning.

Liz Horman, Portland Bureau of Transportation: So we can just do a quick introduction. I'm liz Horman from the bureau of transportation.

Sarah Figliozzi, Portland Bureau of Transportation: Sarah Figliozzi, also with Portland bureau of transportation.

Eric Engstrom, Bureau of Planning and Sustainability: Eric Engstrom, bureau of planning and sustainability.

Horman: I think the first item in front of you, mayor, are the eight staff technical amendments. And I think there's no power point we have the presentation here so that first page just gives that brief summary of those amendments. These are really grammatical and technical in nature.

Wheeler: Do you have a presentation or just answer questions?

Horman: Just answer questions.

Wheeler: I suggest we vote on these as a package, is there any objection to that. Are there any further questions on any of these staff technical amendments?

Hardesty: So moved.

Wheeler: I don't think we need to move, I think we can just vote as a package since they were already moved as a package. Is that correct?

Linly Rees, Chief Deputy City Attorney: Yes. Could you also I have been reminded there was a new impact statement if you want to maybe do that right after that or do that right before they would like to just make sure you have no objections to substituting the impact statement.

Wheeler: Do you need a motion for a substitute?

Rees: It's not an attachment to the ordinance so you can just do it with council's consent.

Wheeler: Are there any objections to including it? I don't see any objections. Consider it officially included.

Rees: And staff reminds me there are also substitute findings. Do you want those done at the end?

Horman: It's not an impact statement, it's a replacement of the findings.

Wheeler: So, you want substitute findings on the table? I'll move the substitute findings, is there a second.

Hardesty: Second.

Wheeler: Karla, can you call the roll on the substitute?

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

Wheeler: Aye. Substitute findings are on the table. Any further discussion on these? Karla, call the roll for the package of the staff technical amendments with the substitute.

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

Wheeler: Aye. So the staff technical amendments are adopted with the substitute in place. Next let's move to commissioner amendments. Commissioner eudaly, I believe you had one. Is there any further comment on that?

Eudaly: This amendment listed number one the amendment list, it inserts language to exempt defined list of affordable housing projects currently in the development pipeline. This amendment is supported by the second ordinance we heard last week which establishes alternative bicycle parking standards for the exempted projects. As mentioned last week this solution acknowledges unique budget and timeline of these pipeline project that have developed their financing packages based on current bicycle standards while still ensuring these affordable housing projects include bicycle parking.

Wheeler: Very good. Any question or discussion on commissioner eudaly's amendment 1? Anything else from staff on that? Very good. Please call the roll on amendment number 1.

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

Wheeler: Aye. Amendment number one is adopted. Next I propose we vote on commissioner amendments 2, 3 and 4 to together as a package. You'll recall these amendments all provide technical fixes to improved plan review. Specifically number 2 ensures bicycle parking information is included and reviewed at the land use review phase. Particularly due to the spacial layout needs and location requirements. 3 clarifies the far exemption, the floor area ratio, is for bike parking rooms and does not include the individual two by six foot spaces that may be included within the dwelling units. This would take an enormous amount of staff time and resources for the bureau of development services reviewers to do that level of calculation. Number 4 clarifies the definition of the bike rack design to ensure that cable components are not included in the rack definition. Cables are very easy for thieves to cut through, unfortunately I learned that the hard way, and these put tenants and users at a huge disadvantage if there's nothing solid to secure the lock to. Are there any follow up questions or decisions on commissioner amendments 2,3 or 4? Anything else for staff to add? Karla, please call the roll for this package of commissioner amendments.

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

Wheeler: Aye. The amendments are adopted. Finally, for commissioner amendment 5 this is an increase to the nonconforming use threshold. This amendment would increase the dollar threshold from the current level of \$168,550 to \$300,000. This increase to the nonconforming use threshold is part of a larger bureau of planning and sustainability and bureau of development services strategy to improve permitting processes and timelines. I don't know if there's any questions from my colleagues on this amendment. Commissioner hardesty?

Hardesty: Thank you. That's one that I don't know the why of. Could you help me?

Engstrom: Sure. When we passed changes in code like what you're doing today to the bike parking zoning code doesn't immediately apply to existing development. It applies to new development going forward but we do have a provision called nonconforming upgrades which is when there are large scale tenant improvements or remodeling projects to existing buildings above this dollar amount they can be required to set aside a certain amount of project dollars towards incremental upgrades to come closer to current standards and we have that dollar amount goes up automatically by the construction cost index but we also periodically have it adjusted for policy reasons when we do projects that can change the number of people who are nonconforming. This was suggested as a way to address permitting cost concerns and small business impact concerns related to the bike parking change because we're changing the code.

Hardesty: That was a very succinct and understandable explanation and I'm grateful for that. Thank you.

*****: Glad we have him up here.

Wheeler: Any further input on amendment number 5? Any further questions? Karla, please call the roll on amendment number 5.

Eudaly: Thank you, Eric, for that succinct explanation. I think even commissioners can understand the intricacies of our code when explained by someone like you. Happy to vote aye.

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

Wheeler: Aye. Amendment 5 is adopted. The final item for today then is to adopt the amendment to replace exhibit b, the findings report. We already did that. We did that up front. So that is completed. I think that is -- it. Yes. Is there no additional amendments? We're closing the testimony for the bicycle parking code update project items 1061 and 1062. Thank you. The next step is that the ordinance will go to a second reading and final vote. This is the second reading and final vote on the ordinances as amended. That will be December 4th, time certain 11:05. Is that right, Karla?

Moore-Love: Correct.

Wheeler: December 4th, time certain 11:05 for the ordinances as amended today. Legal counsel, have I forgotten anything or does this close it out.

Rees: You've covered it. We're good.

Wheeler: Anything from staff?

*****: No, thank you.

Wheeler: Thanks for the incredible work on this. The speed we went through it belies the considerable energy you put into it. 1061 and 1062 move to second reading as noted. We are at item 1078 on the regular agenda.

Item 1078.

Wheeler: Commissioner eudaly.

Eudaly: Thank you, mayor. This intergovernmental agreement allows pbob to be reimbursed for bus lane and red pavement markings Trimet has agreed to fund with their statewide transportation improvement fund formula funds. Pardon me. Otherwise known as stiff. Which is an unfortunate acronym. Trimet and pbob's collaboration on central city in

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motion and enhanced transit corridor plans resulted in trimet including these projects in their stiff plan. These projects are intended to provide faster and more reliable bus service through capital and operational investments. Here to provide details and answer any questions is pbot project manager Gabe Graff. Welcome Gabe.

Gabe Graff, Portland Bureau of Transportation: Thank you, commissioner, mayor, thanks for having me. In light of your package presentation i'll make a very brief presentation. If you have questions let me know. In november 2018, council adopted the central city in motion plan as commissioner eudaly mentioned. This plan was designed to address increasing demands on our central city's transportation system with new investments and transit priority bikeways and safer crossings. The plan identified 18 projects including nine miles of bus lanes, 17 miles of protected bikeways and 88 pedestrians crossing improvements. Since adoption pbot have been working with partners such as trimet to fund, design and construct these identified projects. This agreement with trimet for \$3.14 million funds some of the key transit bottlenecks identified in the central city in motion plan. I thank trimet specifically jamey snook, who is with us if you have questions, who brought this to the finish line. This iga will fund work which you've seen on the streets already specifically the southwest madison bus lane approaching the hawthorne bridge, northwest everett bus lane approaching the steel bridge, components of the burnside bus lane that was recently started in November and then some additional work extending the bus lane on madison an additional block once the Portland building has completed construction extending the east burnside bus lane to 12th avenue once construction is completed at mlk and burnside corner and additional red pavement markings which you may have seen a couple on grand, mlk, and main. If you have any questions, do let me know.

Wheeler: Commissioner Hardesty.

Hardesty: I'm curious as to whether or not we're looking at whether bus shelters are appropriate along the line where we're making these improvements because with the improvements I see being made in east Portland do not include bus shelters. So i'm just curious as to where does that conversation happen and who makes the decision about whether you get red lanes or actually shelter from the rain.

Graff: Good question. I certainly can get back to you on how those shelter decisions are made.

Hardesty: I have asked that quite a bit and no one has been able to.

Eudaly: I can tell you it's trimet.

Hardesty: I know its trimet, but if we are partners with trimet hopefully we're having those conversations with trimet.

Eudaly: We are having them but its not pertinent to this item.

Hardesty: I understand it may not be pertinent in your view, but as we continue to partner with trimet if you're not putting these issues on the record these issues will never be addressed because again, I have asked this question every time we have had a partnership with trimet, and every time we have had this partnership I hear we're working with trimet. That is not a sufficient answer for me, so maybe with your help I can get a meeting with trimet in my office and we can talk about who decides who gets the bus lanes and who gets the full shelter where they are protected from the rain.

Eudaly: You can come to my office and we'll fill you in about where we're at with that conversation.

Hardesty: That's one option. Thank you. I appreciate it.

Eudaly: Gabe, can you tell us what kind of improvements we're seeing and commute times with the red lane? Is that information you have?

Graff: We have some early information about how trimet buses are performing so the southwest madison lane was installed in May. That's in operation the longest. It's a four

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block stretch, so its not a very long bus lane but it's one of the most congested portions of the lines with travel on it. We're seeing about a minute of time savings every day for those buses. Such that trimet has been able to adjust the schedule of the line 14?

*****: Yes.

Graff: To make that transit service faster. Everett and burnside are considerably longer bus lanes and we expect that we'll get even better performance out of those.

Eudaly: Thank you.

Wheeler: Does that complete your presentation?

Graff: It does.

Wheeler: Excellent. Is there public testimony on this item?

Moore-Love: We have one person. Maggie.

Wheeler: All right. Thank you. Appreciate your testimony. Hello again.

Maggie: Hi. Maggie, Portland homeless town hall. I have been to Mexico, and it pains me to say that I can go to a country that doesn't have the budget that the United States of America has and find out they have better public transportation. And I'm sure you all have been to other countries as well where you have discovered, hmm, they have a smaller budget, a faster, maneuverable, responsive transportation bureau. Setting aside the big behemoth that is public transportation in America, whether they need certain infrastructure or not, and I would like to go to Hardesty's comment, yes, we do need to discuss why certain areas get –

Wheeler: Commissioner Eudaly.

Eudaly: Maggie, this is about whether or not you support us being reimbursed by trimet for work we have already done on the red line.

Maggie: Should you be reimbursed by trimet? Yes. Yes.

Eudaly: We need relevant testimony.

Maggie: I would like to say that trimet is kind of the underground railroad for the disadvantaged and underprivileged in terms of their liberation from things like domestic violence and their ability to get jobs, and I would like trimet to just keep that in mind when they are giving out tickets. Thank you.

Wheeler: Thank you all. Appreciate it. With that any further discussion? Karla, please call the roll on 1078.

Eudaly: Thank you, Gabe. My office is champion central city in motion has leaned on pbot to deliver these important projects as quickly as possible. Because of bus riders crossing the burnside, Hawthorne, steel bridges are already experiencing the benefits of our work, I'm encouraged that a plan we passed this time last year is very having positive benefits to Portlanders because as we know the wheels of bureaucracy tend to move very slow, especially ironically in our transportation bureau sometimes. I'm also encouraged to see the partnership between trimet and pbot that this IGA represents. I thank trimet for recognizing our shared interest in making transit faster and more reliable for funding these improvements. Now I would like to see more buses whizzing by traffic, especially on burnside in that dedicated bus lane. I look forward to more progress in the coming year with projects currently in design on southwest Naito, southwest 4th Avenue, northwest Broadway, southeast Hawthorne, MLK, Grand and East Burnside. I vote aye.

Fritz: Commissioner Eudaly, you are exciting me with your passion for transit. I thought you were going to say the wheels on the bus go round and round. Thanks to the new bus lanes they will be going round and round instead of sitting in traffic. Thank you for your work on this. Aye.

Hardesty: We certainly want buses to move faster. We certainly want buses to be more accessible, especially to folks who don't live in the central city. I will never not take an opportunity to remind trimet that they need to be a better partner. Once again we need much better public transit access in east Portland and other parts of the city. I will also say

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that I am very concerned that trimet continues to hire security which if they made the system free or different they would not have now four security forces that are having a detrimental impact on people's willingness and ability to ride public transit. I vote aye for this project. But I will continue to have this conversation every opportunity I get to say to trimet you need to be a better partner. Aye.

Wheeler: I strongly support this ordinance before us today. I support central city in motion. I want to thank commissioner eudaly and her team for their leadership. I thank pbot for their leadership. This is a grant that we are accepting from trimet. I want to thank them for this. The bottom line for me is this. We talk a lot about improving mobility in the city for everyone. A real sticking point for us has been improving the percentage of people who are willing to take transit. I don't think you force people into transit, you give them a value proposition so that they want to take transit. The only way you can create a value proposition for transit is to not have transit become stuck in increasing traffic along with everything else. So other cities have demonstrated that if you can speed up public transit it makes it a better option for people to be able to take, particularly those on the margin who say, okay, I could get into my car and I could commute but if I can get there faster or if it's just as convenient or more convenient to be on the bus that's what I'm going to do. I also hear from people all the time who say, look, mayor, I appreciate that, I understand the city is only going to get more congested as population grows and traffic becomes more intense, but why don't you build more streets? The answer is there's no room to build more streets. We're stuck with the infrastructure that we have. The question is how do we make the infrastructure we have more effective, how do we increase the number of people? The only way that makes sense is to have more people taking larger vehicles. That is transit. That is the buses, that is the rail lines, et cetera. If the buses are just getting caught in the same increasing congestion as everybody else, it's not improving anything, it's not providing incentivization for people it take transit. I hear with my colleagues are saying, yes, we need more buses, we need more extensive bus service. That's all true but the issue before us today is central city in motion and I'm have are happy to lend my support to it. I vote aye. Thank you to everyone who worked hard on that. Can we take a three-minute break? Would anyone object? Let's take a three-minute recess.

At 12:00 p.m. council recessed.

At 12:06 p.m. council reconvened.

Wheeler: Back in session. Please read items 1079 and 1080 together, please.

Moore-Love: Yes.

Item 1079.

Item 1080.

Wheeler: Commissioner Fritz.

Fritz: Thank you, mayor. Just a recap of where we are, last week we had a staff presentation and heard public testimony but we didn't have time for council members to ask staff questions. I'm going to have staff come up so that can happen in a few minutes. I didn't give my full remarks because it was very late in the day and we wanted to get to public testimony because people had been waiting for a long time. We're not voting on either of these items today. I want to also say up front that the water bureau should have been more clear about the cost estimate for the filtration about what the cost estimate for the filtration plant included because it didn't include the cost of the pipes and that was a major mistake and we apologize. Compliance agreement with the Oregon health authority requires a filtration plant. The council could not decide unilaterally to switch to an ultraviolet plant. The city would be required to negotiate with the Oregon health authority on a new approach. The water bureau formed a technical advisory committee of national experts to advice the bureau and help turn in the optimal features of the filtration plant. They spent weeks reviewing and advising including site visits to the locations under consideration.

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This is the direct outcome of the technical advisory committee's recommendations. I passed out to you a list of the numbers and some of the background. Another reason to move forward now with the filtration plant is the opportunity we have been invited to apply for water infrastructure finance and innovation act partnership with the loan. This low interest loan will significantly reduce the cost of borrowing for this project with a longer pay back period meaning the 200,000 people coming to Portland by 2035 will help pay for the project. We do acknowledge that the water bureau working with the council will need to look for ways to further assist low income residents with their utility bills as rates increase. After our last council hearing water bureau staff reviewed the questions that were asked and we provided that to you in a document. There are extra copies by the council clerk for members of public. We're not voting until next week, there will be time for you to review though those and ask any further questions. With that I would like to open it up for questions of staff.

Wheeler: Commissioner Hardesty.

Hardesty: Thank you, mayor. Thank all of you. I have seen more of water bureau staff in the last 48 hours than I think I have seen in all my time on city council. I'm very grateful for the time you spent helping me understand the history. I wonder whether or not right now, today, this is the right project at the right time. We know that when you started this process and I can appreciate the challenge of working through a variety of different city councils and different city council directives. But today we're at a place where we are anticipating spending over \$1 billion for water filtration process and my question is, knowing what we know today, are any of the other options something we should consider. Notwithstanding having to go back to the health department and get some approvals, not to mention that there would be some other due diligence that would have to happen, today why aren't any of the other options still available and why would we move forward with this billion dollar project.

Mike Stuhr, Director, Portland Water Bureau: So reasonable people can --

Fritz: Remember to identify yourself.

Stuhr: My name is Mike Stuhr, director of the water bureau. Reasonable people can come to different conclusions on a very, very complex project. What I'm going to say now are my beliefs, my professional opinions from 45 years of building and operating public infrastructure. I believe that the water bureau, the city, and it's bigger than the city, it's virtually everyone in the metro area, needs a filtration plant. In some ways we have been lucky for the last 40 or 50 years. Most people have built them. There are thousands of filtration plants around the country. They are flexible, they allow you to handle what comes up in the regulatory world, and the infrastructure that we operate and bes operates is different than other public infrastructure. We are highly regulated public health entities and public health regulation never backs up. It only gets tighter. It's my personal belief that a u.v. Plant, which is really the only other option, it only answers crypto. It answers nothing else. Now, we have what I'll call black swan events, very high consequence low probability events. Those events are difficult for us to think about. We are all biased by the so-called normal distribution. You can look at that statistically. The question for black swan events is can you afford not to. Can I tell you that we're going to have a fire in the watershed? No. Can I tell you exactly when we're going to have an earthquake? I can give you a probability figure for the earthquake. Can I tell you that we're going to have turbidity events? I can tell you yes, we're going to have turbidity events. We have been lucky the last few years because of how rainfall happens. A u.v. Plant does nothing for any one of those, and I believe there's another risk, and this risk could be wrong, the minute epa writes another regulation we would be back here having this same discussion. Because a u.v. Plant does one thing it kills crypto. It does one thing. One of the unfortunate things in our political process is you don't hear people come and testify for things. That's kind of unfortunate, I

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think. People expect us to be able to do the right thing. The right thing for our community, for people with compromised immune systems and so on is to build a filtration plant that can deal with all of these risks. And that would be my opinion. We have a huge advantage here right now. Yes, we have to build a very, very expensive filtration plant which I will tell you using the 820 number if we had built it in the '70s when others built it would have cost \$125 million. If we had covered the reservoirs in the '70s when the city first agreed to cover the reservoirs it would cost about 50 million instead of 400. In the end maybe now we are going to have to build the filtration plant, and if you know you're going to have to do something in the economic world it's better now than later because inflation frankly eats your lunch in the end. I believe that this is the right time. Not only is it the right time for that reason but we have a tremendous opportunity. The water infrastructure -- there you go. I knew commissioners Fritz would catch me on that abbreviation. That's a tremendous opportunity to moderate the rate impact of what we have to do. We bond things for 25 years. 20 years. This will allow us to bond for 35 years. It will allow us to lock in low interest rates. We're doing really well nationally in interest rates right now and the combined effect of that and there are other things that maybe if Cecilia was here she could talk about but we can negotiate every aspect of this deal including when we start paying, and do that in a way that mostly benefits our ratepayers, so I think Cecilia wants to smack me because she doesn't want to say what the number will be, but I'm a lot taller than she is. It will make a positive impact on our rates.

Hardesty: Frankly for me if we're going to be able to save ratepayers because what we're talking about is significant increase in monthly bills for ratepayers, I would want to know and we have not done well with numbers in the past but I would certainly want to know what is the difference between having access to the loan and doing it the way we would always do it through the bonding process. If it's not a number maybe there's a percentage. I personally need to know what's different, right? For me that's the only reason to do it now is that we have access to this loan. If we're not going to do it now, if we're going to do it now, what's the compelling financial reason to do it now?

Cecelia Huynh, Portland Water Bureau: I'm Cecelia Huynh, finance director for the water bureau. I have been very reluctant to pin ourselves down to a rate benefit related to the loan. Based on the letter of interest we submitted we needed to identify the benefit of having the loan. There's a lot of assumptions but based on that what we estimated is that we can be at about the current rate forecast of 7.4. There's still a lot of terms to be negotiated and our goal is to negotiate a loan agreement that would be beneficial to our ratepayer. We hope to do better but without having gone through the negotiation understanding the rate we would be locking in and the year it would be at the current treasury rate when we close the loan. Not knowing what that will look like in a year, when we start paying, the terms of the loan are all flexible with the program. Until we have all that I don't have certainty on the benefit of the loan. But again, based on preliminary modeling of what we think we would be looking at, we're looking at around our current rate forecast of 7.4.

Hardesty: If we were to delay moving forward say 90 days, would you have more of an opportunity to give us better understanding of the impact on ratepayers for this project?

Huynh: Not 90 days. The application process -- we committed to EPA to submit the application in spring of 2020. After the application is in there's review period by EPA, then we go into negotiation of the terms of the agreement. That could take another one to six months before we close. So our goal is to actually have the loan agreement closed by my goal would be by the end of next summer. So that we can go into the next budget process with all of that known information going in and update the rate forecast accordingly.

Hardesty: So can you apply for the loan without us having already affirmed or approved the issues that are in front of us now?

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Huynh: Our understanding is we do need to lay out the project, the scope, the schedule, and the expected cost of the project. So the sizing of the loan will be based on the specifics of what we plan to do and the epa has staff on that will be reviewing all of that, showing that our cost estimate is reasonable, that's the word they use, is reasonable, which would include can include contingencies.

Hardesty: Thank you.

Wheeler: I have a couple of similar questions. The first question I have is maybe a slight rephrasing of the first question that you answered, mike, but I want to hear it answered in this format. When the prior city council started discussing this issue, the original estimate was somewhere in the 350 million dollar range is my recollection for filtration. Now it's in the billion plus range. Given that the estimated cost of a filtration system now that you have scoped the project a little more thoroughly has only escalated and it's escalated by at least 300%, do the original assumptions that led you to the filtration system versus u.v. or we heard some testimony the other day on chlorine dioxide, do the original assumptions hold up for the filtration system today at a billion given that the decision was made when it was \$300 million?

Stuhr: Going back a little, there were two numbers mentioned. The original number was 500, which is still a ways off. Then I was pressed and said, well, we could be hopeful that it was 350. That wasn't the best number on the planet, but I only had 60 days to figure out what takes two and a half years to figure out. For the reasons I stated already, I think we need to build a filtration plant. I realize that it is expensive, but it is far and away not the most expensive thing the city has bought. I would refer you to the big pipe. These things are out comes of federal regulation but as a person who has worked most of his life swimming in federal regulations, agree or disagree with the regulations they are done for good public health purposes at the time and they are just expensive. I believe for the reasons stated that this is a good investment. People tend to focus on high side or low side numbers because they can. But those two numbers are not guaranteed. The numbers that i'm hanging my hat on right now with the planning studies we have done is 820. Yes, it could be different than that. As you go through this design process, we are very good when we finally get a design at sticking with the numbers that we have. I think the majority of our projects have come in on time and under budget. Once you have a design in place. And that I think is what will happen. The challenge in this one is it takes quite a while to get it designed. So as you work your way through the design, the numbers get closer and closer and i'm sure you've seen the funnel picture. It goes like this and you get closer and closer. So I think 820 is a good number. I think the ratepayers are citizens deserve a filtration plant. I wish more people who were fans of this, commissioners have gotten emails and calls and so have I, wondering why haven't you done this already. I think we need to build a filtration plant. That is my opinion.

Wheeler: Could I ask a follow-up question on the filtration plant? You laid out a good case for it. You don't know when an earthquake will hit, I certainly don't. We have already seen the possibility of wildfires and the incursion into the bull run area. We heard testimony last week from people who said the in the event of a catastrophic wildfire or landslide into the bull run filtration isn't actually going to work. What can you tell us on that front? Is a filtration system designed to actually be able to handle the kind of sediment that would be created by a massive landslide off mount hood or alternatively a catastrophic wildfire in the bull run basin?

Dave Peters, Portland Water Bureau: I'm David peters, program manager for the water bureau. What filtration does in those situations is provide you protections. It does that by allowing you to get back up to speed fairly quickly. Let's take the example of a catastrophic landslide into the watershed. If we're an unfiltered system we would not have a way to get that system back online to be usable again. Filtration --

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Wheeler: Could you explain that a little bit, can you flesh that out? Why do you say that?

Peters: If you had a landslide and the turbidity is very high, once it's over 5 ntu, they call it, we cannot serve it to the public. As long as that water was turbid we could not serve it to the public and we would have to be -- we couldn't serve it to the public.

Fritz: The answer to your question is yes, a filtration plant would take care of that.

Wheeler: So maybe a different way of asking it there's no upper limit to the amount of turbidity that a filtration system could handle? And would that upper limit if it does exist be exceeded in a catastrophic forest fire or massive landslide off of mount hood into the bull run reservoir?

Peters: Where I'm going, you could exceed the capacity of the filtration plant for a period of time. But the filtration plant allows you over time to get back online more quickly. As the turbidity begins to drop you can begin treating that water and then serving it. What you cannot do as an unfiltered system.

Wheeler: I'm hearing your admonition that it's only going to get more expensive and mike, you laid out a good case that the filtration system is sort of the best practice in terms of achieving multiple goals. But let's say the council came to the conclusion that as much as we would like to achieve multiple goals, what we can actually afford to do right now is meet the immediate threshold requirement, which is cryptosporidium. Would that lead us in a different direction? And what would the potential cost savings be?

Gabriel Solmer, Portland Water Bureau: Mr. Mayor Gabriel Solmer, deputy director, I can answer the first part of your question as to what the process would be if this council wanted to make a different policy decision than the council made in 2017 to pursue filtration. If this council wanted to pursue an option that was less expensive to address the immediate threat of cryptosporidium, then there would have to be a conversation with Oregon health authority. We have a bilateral compliance agreement that was negotiated in 2017 after this council's direction to build filtration within a certain number of years. It lays out the terms of that. It does not say that the city can treat this issue in other ways. It's very specific. It has to be filtration within a certain number of years given the complexity of that solution. That treatment solution. So there would have to be conversations with oha to write a new bilateral compliance agreement if that was no longer the direction of council. I don't want to leave anyone with the misunderstanding that that would be an easy task or just a rewriting of that agreement. To get this agreement in the first place took a lot of negotiation by the city attorney's office, by the water bureau, by this council, and by our commissioner in charge at the time to arrange a bilateral agreement, something we could both agree to. We would certainly if the council was to go in that direction make oha and epa, who delegates primacy for these issues to Oregon health authority, think twice about our motivation and readiness to complete what we have promised to do and it would certainly in my estimation jeopardize the application.

Wheeler: That's a compelling argument in and of itself. Mike, I don't want to put words in your mouth -- [audio not understandable] it sounds like your thinking as you look into the future is that eventually other items that a u.v. Plant would not be able to address what would be required. Is that your existential threat to the u.v.

Stuhr: Existential is a really hard word.

Wheeler: Indeed it is.

Stuhr: The threat is additional regulation. The only thing that the u.v. Does, the only thing it was ever designed to do is kill the small pathogen called cryptosporidium. I have watched and waited in federal regulations, I have been a federal regulator. It never gets tighter. There's -- or looser. It's always going to have more regulation. They are studying some 35, 36 chemicals right now. One of the challenges in water utilities right now is we can find these things down to ten to the minus 18th, ten to the minus 19th. Sometimes people don't even know what that means. Was it background or not? The answer when

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you have advocacy groups and regulators in doubt is to write a rule. One fear looking 50 years out is that they write a rule, we would be lucky if we decided to build a u.v. Plant and it lasted 50 years, maybe could be ten. Then what have you done with \$200 million because then you've spent \$200 million and \$820 million to get the same thing done. So water utilities nationwide all of us are admittedly very conservative. We try to look very long term like my pipes last 150 to 200 years and that's the way we think.

Wheeler: Right. I don't want to discount that when you're talking about a water supply I think erring on the side of conservatism is the wise thing and I appreciate your perspective. That completes my questions for now. Does anyone else have any further questions or comments? Just to clarify with legal counsel my understanding is we already took public testimony. We simply carried it over for discussion purposes. Very good. If there is no other business then 1079 is the first reading of a nonemergency ordinance. It moves to second reading. [audio not understandable] 1080, which is the authorization of the contract with stantec, this is also a first reading. It moves to second reading. Very good. Thank you. Thank you for answering the questions and thank you, commissioner Fritz for the additional written testimony.

Fritz: Thank you.

Wheeler: If we could read 1081 I'm going to move it.

Item 1081.

Wheeler: Colleagues, as you know commissioner Fish wanted to be here today. He's unable to make it so at his request he would like to move this item to November 27th. It's my understanding, Karla, that's to the regular agenda.

Moore-Love: Correct.

Wheeler: We'll go back to the consent agenda items, 1065 being the first up.

Item 1065.

Wheeler: The cellco partnership dba verizon wireless has provided cellular service to the city since 2013. Verizon provides voice services for 3500 city cellphones, data for 1100 tablets and network connectivity for 1400 other devices including public safety, mobile data terminals. Otherwise known as mdts. Verizon was chosen as the preferred carrier as they have the most complete coverage in the Portland metro area. Coverage was the overriding metric for vendor selection in this case. The bureau of technology services has appropriation in their fiscal year 2019/'20 budget to cover the first year of anticipated expenses associated with this action. Funding for the second through fifth year will be included in the base bureau budgets for fiscal year 2021 through fiscal year -- 2023 to fiscal year 2024. I had asked that this be pulled because I knew there were questions from my colleagues. Telecom supervisor lee nichols is here to address any questions you may have. Commissioner hardesty.

Hardesty: Thank you so much for being here. My question is there's a significant increase in cost in this extension. Did we go back out and see if someone else now has the infrastructure that would give us a better deal for the dollars that we're investing in this particular contract? [audio not understandable] why not? [audio not understandable]

Wheeler: I'm not sure the mike is on.

Lee Nichols, Office of Management and Finance: Excuse me. We have an existing relationship with verizon for the equipment we have in place and we're continuing to purchase now. With the advent of the new atv first net and 5g infrastructure coming into place, we haven't done it yet.

Hardesty: I'm reluctant to continue to renew contracts without some due diligence. When do you plan to go back out and find out who else is out there that could provide us with the service?

Nichols: I would have to discuss that with our senior leadership and get back to you.

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Hardesty: It's very unfortunate you didn't come prepared to answer specific questions about what we're doing here today. Mayor, I am not going to be able to get my questions answered today, so that probably means I will be a no vote for this particular issue. Thank you.

Fritz: This isn't an emergency so why don't we carry it over.

Wheeler: That's my intention, I want to make sure as long as we have lee here let's get any questions answered. Very good. Lee --

Fritz: I have a question. I know from my personal cell phone use that you have contracts and if you try to get out of the contract early you then have to pay a penalty or it's difficult to do. There's also the issue of who owns the phones, which thankfully your technology service takes care of all that logistics. Would there be a penalty for not continuing with verizon?

Nichols: No, actually our contracts do not have early termination fees and we do not subsidize equipment. So switching there's cost associated with that, but there's no termination fees, we own it outright.

Hardesty: I was just going to say this is not a new contract. This is an extension of the current contract with significant more cost. The fact we can't get those questions answered today I find very problematic.

Wheeler: Very good. So let me do this. I'll pull this back and we'll have the office of management and finance work with the individual commissioners' offices to get their issues addressed. Is there a critical time issue on this item?

Nichols: There is. The contract expired at the end of October. If we don't renew the purchasing authority we won't be able to pay the existing invoices.

Wheeler: We're going to have to delay it at least a week until we can get the commissioner's questions answered and I support their desire to have their questions answered. It's not an inconsequential contract. My understanding, lee, is that the primary metric used on this contract is actually service area coverage. Is that incorrect?

Nichols: No, that's correct.

Wheeler: The primary metric by which we decide who you are going to negotiate this particular contract with is numerically determined by who has the largest coverage area.

Nichols: Yes, the most complete coverage.

Wheeler: That led us to verizon wireless for this contract is that correct?

Nichols: That's correct.

Wheeler: Why would that not be the answer to commissioner hardesty's question about why we selected this provider and why it's not been open to others?

Nichols: The question I heard from the commissioner was have we looked at other people. Recently we have not. We negotiated the contract a few years ago and we did the analysis at that point and as technology changes we'll have to do that again, but right now we don't have that.

Wheeler: So why don't we do this. Why don't we pull it for one week.

Fritz: There's only three of us here next week. We wouldn't be able to pass it as an emergency next week. I'm wondering if it's possible to get the questions answered by tomorrow and set it over to tomorrow.

Wheeler: Can we do that without proper notification or do we have time for that?

Liny Rees, Deputy City Attorney: It's still within the same essentially the same council meeting. You just would be setting it over within the same meeting.

Wheeler: Can you work quickly on this?

Nichols: Absolutely.

Wheeler: Let's set this over until tomorrow afternoon. That would be sometime subsequent to 2:00 p.m. Tomorrow afternoon. Very good. Thank you.

Nichols: Thank you.

Wheeler: Next was 1068.

Moore-Love: Did you want to read 1069 as well?

Wheeler: They are different, though. Aren't they?

Moore-Love: Staff had said they were reading them together.

Wheeler: Why?

Moore-Love: You would have to ask tia.

Wheeler: They seem totally unrelated to me, so I would say 1068 separately.

Item 1068.

Wheeler: Is there any reason -- i'm sorry, who pulled that one?

Moore-Love: Lightning.

Wheeler: Is he here? I don't see him here.

Eudaly: He's here.

Wheeler: You changed up on me. Good to see you. Very good. Would you like to provide testimony and maybe this will help us guide any staff questions on this? I'll read you what I have by the way. The ordinance approves settlement of the attorneys fees demand from john delorenzo and the law firm davis wright tremayne who represented a group of building owners affected by proposed rules related to unreinforced masonry buildings. In may the federal court judge issued a preliminary junction prohibiting the city from enforcing ordinances passed by the city council in october of 2018 and february of 2019. The unreinforced masonry ordinances were repealed by city council on october 23, 2019. Plaintiffs are entitled to their reasonable litigation costs and fees in such cases. Risk management and the city's attorney's office recommended paying \$350,000 to davis wright tremayne to resolve this final aspect of the lawsuit. Although it's not on my talking points it's my understanding this was a mutually agreed upon settlement. Good afternoon.

Lightning: Good afternoon. My name is lightning. I represent lightning super karma. Again when I did public communication on this item I said we should leave it optional to the landlords if they want to put up the placard or also put something in their lease. The reason why I did that I wanted them to have the option of some people were willing to do that they could do it, if not that's okay too. Now, what we have right here is obviously you don't listen to people doing public communication which I have heard from one commissioner which is completely clueless, and I won't state the name but here's my point. Is that when we run up these type of fees of \$350,000 for this type of a mistake, and now we're going to claim this on I understand the insurance. My position is that that falls under eno insurance. To attorney john dilorenzo, and I know you're listening, my good friend, I had a discussion with you last year on other issues, congratulations. You approved, you can fight city hall and win. Again, to mr. Jim atworth I agree on setting up a war chest and whenever they come out with these type of items that are going be fought and they are going to lose maybe they won't take it as far. \$350,000 I know the amount was higher. I'm a little disappointed mr. Dilorenzo on why you settled lower, but you win every time so I highly recommend your law firm again when the city wants to challenge you, the city will lose because you can fight and win the city. \$350,000 to the public, pay the bill and feel good about it. This is absolute incompetence: Now, commissioners and the mayor, listen to the public and this would never have happened. Enjoy taking the money out of the public's wallet. Congratulations. What a victory. Good work, mr. Dilorenzo.

Wheeler: Thank you, mr. Lightning, for your always spirited discussions. Any further discussion? Karla please call the roll.

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

Wheeler: I'm going to make more commentary on this than I probably should. I will vote for it because the judge ruled very clearly, and I support both the rule and the letter of the law, and this was adjudicated in a court and the city of Portland lost. We therefore are responsible for reimbursing the attorney for his fair fees in this particular case, which we

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have an obligation to do and we will do that. I also just want to lay down a marker on the record for the future that I supported the urm placarding ordinance, and the reason I supported it was I believed it was important for people to understand that there are measurable, demonstrable, factual additional risks in the event of an earthquake to living in an unreinforced masonry building. While some may think it is presumptuous, I actually believe that the public has a right to know if they are living in such a building, if they are visiting such a building, or if they are paying rent to lease a commercial space in such a building. So my support of the placarding ordinance was based on my belief that the public should have more information rather than less information. But I will also just say this. And this may be just a word of admonition to the future, when the time comes that we do have a catastrophic earthquake in the city of Portland, and if we experience the reality that many other cities around the world including christchurch, kobe, japan, that I just recently had the opportunity to visit and see their earthquake memorial for the thousands who died there, and I heard their mayor's admonition about unreinforced masonry building and what it meant to people in their community during a major earthquake, when the earthquake does strike in the city of Portland, I wonder if people will have a different perspective about this. So i'll just put that there. I want it on the record for the future and I want the record to reflect that I supported giving the public the information that I believe they have a right to know for their own safety, the safety of their family and the safety of their friends. With that I vote aye. The settlement is approved. Last item 1069.

Item 1069.

Wheeler: I have a brief statement here that's been provided to me. Unless -- says on november 20, 2018 a Portland street car was proceeding westbound on southwest montgomery street when the rear end of the streetcar left the tracks between southwest 5th avenue and southwest 6th avenue as it entered Portland state university's urban plaza. While there were no collisions with other vehicles or any injuries, the derailment did cause some damage to the adjacent concrete and brick work owned by Portland state university. Portland state university submitted a demand, \$59,780 for repair. Risk management requested a second estimate from Portland state university and engaged in additional discussions with them and reached an agreement much the total amount of the proposed settlement is \$49,580, upon passage of the ordinance a payment of \$49,580 will be issued to Portland state university. Commissioner hardesty, did you -- is there somebody from risk management here? Could you come on up? I think commissioner hardesty has a question. If you could introduce your names for the record, please. I also want to acknowledge you were here a long time. Thank you for your patience. [audio not understandable]

Jessica Bird, Office of Revenue and Finance: Mayor, commissioners, I'm Jessica Bird and I am with risk management, can you hear me?

Wheeler: Yes, thank you.

Bird: Today I brought with me Kathryn levine with Portland street car.

Hardesty: Thank you both for being here. My question was did it malfunction of the street car and if so what have we done to make sure it doesn't leave the track again?

Bird: In this instance investigation revealed that the streetcar left the tracks due to loss of shunt or connection.

Hardesty: Loss of what?

Bird: Shunt. [speaking simultaneously]

Hardesty: What is a shunt?

Bird: Katherine can explain more technically than I can.

Wheeler: You were just explaining it to your friend in the elevator.

Kathryn Levine, Portland Bureau of Transportation: The train system, the track way is connected to signals and switches via conduit. My understanding is that the metal wheels of the train riding on the track in effect are providing notice, hey, the train is here, its

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occupying that spot. Loss of shunt would be in the fall with a lot of leaf debris or if there's someone leaves debris on the track and it gets ground up you can get enough separation between the metal wheel, strange to say that, and the track, then you have loss of shunt.

Hardesty: Thank you. I understand that. [laughter] and is this an anomaly or is this something that you're being proactive about ensuring that the tracks will be clean so we don't have these derailments in the future?

Levine: So this occurred in november of 2018. We did in fact do a full investigation. We work with and provide those investigative reports of incident to the state safety oversight. We look for causal and contributing factors. We then have a final report that provides for recommendations and mitigations to prevent it from occurring again. In fact, on october 29th, this year, we had a second derail, so the actions that were taken in response obviously did not prevent the events that occurred recently. We have an active, ongoing investigation. I don't want to presuppose the answer. I certainly believe we're headed in the right direction. But similarly, the investigation will conclude with what actions we should take to prevent it from occurring again. I believe to be precise and noncommittal at the same time that we will be taking actions to add additional infrastructure there almost like a redundancy to prevent reoccurrence.

Hardesty: Am I correct that the accident happened at the same location? Or is it a different location?

Levine: It's the same location. It is the single track at montgomery between 4th and 5th.

Hardesty: Last question, you said there was a report to the state safety whatever. Do we get a copy of it?

Levine: You could certainly have a copy of it, yes. It's the odot rail state safety oversight office.

Hardesty: So that actually raises a question, right, because we contract with the streetcar to provide services and you report to the state that unless we intentionally get copies of it we don't know. Are there other reports that are going to the state that we should be receiving so that it actually informs the votes that we take?

Levine: So the streetcar staff including the safety officer are all city employees. The state recognizes the city as the owner and operator of the system. We do contract with trimet for the actual operators and mechanics who are an essential part of the system, but over all we are recognized, we the city, as the owner operator. So we have all the reports that our safety officer does for every collision, again looking at causal and contributing factors. We provide those to the state and have records and can provide those to elected officials certainly.

Hardesty: I would recommend that in the annual report we add something about safety improvements because your annual report is always very glowing about all the great, wonderful things that you're doing and it would be helpful to have the totality in that one report. We probably don't need to be the 800 some odd page state report but including lessons learned would be helpful in your annual report.

Levine: We can provide that. Our safety officer does an annual review of all collisions, injuries and events. We do that internally so that we can identify where to make improvements. We could certainly include that in the annual report.

Hardesty: That would be helpful.

Wheeler: Any other questions? Thank you for that clarification. I learned a lot. Appreciate you being here. Is there any public testimony on this item?

Moore-Love: I had three people sign up.

Wheeler: I think Shedrick may be the only one who stuck it out. Come on up: You don't have to stay up here if you don't want to. Thanks for your testimony. Good afternoon.

[audio not understandable]

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Shedrick J Wilkins: Mayor wheeler should know i'm an anti-psu person, I have a degree from there, I actually like community colleges. Whenever there's some sort of thing -- I thought it was some research study where somehow psu was stiffed or something. I take the trolley all the time. I think it's a great thing. If this is a maintenance problem then you fix it but I really would prefer money going to community colleges. You had a thing at the division pcc center. I think that's great about alternative energy. I just find psu should not get money and say, well, we did the research wrong and the city is bothered about that. I don't like those things but I use the trolley all the time. I'm getting old, and I get on trimet and I use it all the time and go around. It's better than walking.

Wheeler: Thank you.

Wilkins: I'm too old to walk.

Wheeler: Nonsense. That completes public testimony. Please call the roll.

Eudaly: Thank staff for being here all morning. It's not the most efficient use of your time. Aye.

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

Wheeler: New jeopardy word. Shunt. I vote aye. Ordinance is approved, we're adjourned until 2:00 p.m.

At 12:57 p.m., Council recessed.

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.**

November 20, 2019 2:00 pm

Wheeler: This is the November 20, 2019 afternoon session of the Portland city council. Welcome, everyone. Hello, Karla, can you please call the roll.

Moore-Love: Yes.

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

Wheeler: Here and now we'll hear from legal counsel on the rules of order and decorum. Good afternoon, Robert.

Robert Taylor, Chief Deputy City Attorney: Thank you mayor. Welcome to 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 city council meetings 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 the first readings of ordinances. Your testimony should address the matter being considered at the time. If it does not you may be ruled out of order. When testifying please state your name for the record. Your address is not necessary. Please disclose if you are a lobbyist. If you're representing an organization please identify it. The presiding officer determines the length of testimony. Individuals generally have three minutes to testify unless otherwise stated. When you have 30 seconds left a yellow light goes on. When your time is done a red light goes on. If you are in the audience and would like to show your support for something that is said, please feel free to do thumbs up. If you want to express that you do not support something, please feel free to do a thumbs down. Please remain seated in council chambers unless entering or exiting. If you are filming a 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 very much, Karla, please read item 1082.

Item 1082. Readopt remained ordinance number 188142 to restrict bulk fossil fuel terminals.

Wheeler: Colleagues fossil fuels are a dual threat to our community. They are the primary component of carbon emissions that threaten our planet, and they are a safety threat to our community, especially in the event of a major Cascadia subduction zone earthquake which geologists say is not a matter of if its going to happen, but when it's going to happen. As we work to reduce our dependence on fossil fuels the first step we need to take is to ensure that the situation doesn't get any worse. Continuing to allow new fossil fuel terminals increases the risk to the surrounding industrial district, the Willamette river and indeed our entire city. By allowing more terminals we undermine our local and global efforts to transition off the fossil fuels that cause climate change. Reducing our reliance on fossil fuels will take a concerted effort at the local level in the region, by the state of Oregon and by our federal government. City council previously adopted this ordinance back in 2016. Since that time it's been appealed to the Oregon supreme court and now it's

back before us. While we recognize that there are other measures that need to be taken and we intend to bring those forward in 2020, it's imperative that we readopt this package now without any further amendments to have the code go into effect without any further delay. Future amendments and actions will require planning commission review. City staff have already been researching a planning for the future ordinance which is part of our larger action plan to address fossil fuels in Portland. Andrea Durbin, director of bureau of planning and sustainability, will give us an overview of that work. Tom Armstrong from the bureau of planning and sustainability will give us an overview of the ordinance since only two of us, commissioner Fritz and commissioner Fish, who wanted to be here today, but extends his regrets, only two of them were on the council when these changes were originally adopted. Good afternoon, director Durbin.

Andrea Durbin, Director, Bureau of Planning and Sustainability: Good afternoon, mayor, good afternoon city council.

Wheeler: I'm sorry, I have a note, I forgot it. Commissioner Fritz wanted to make a few statements up front. I apologize commissioner.

Fritz: Thank you, mayor. I was proud to co-sponsor this when it was here in December of 2016, so on behalf of commissioner Fish and myself I just wanted to thank everybody for coming back again and thank their staff for getting this back to us. If ever there was a time that I would have liked to do a land acknowledgment this is one of them. Our tribal director Laura John has asked us not to do a land acknowledgment so we have done the necessary research to decide what the language should be. So I thought a fitting substitute would be the words of Greta Thunberg "our house is on fire, I'm here to say our house is on fire. According to the intergovernmental panel on climate change we are less than 12 years away from not being able to undo our mistakes. In that time unprecedented changes in all aspects of society need to have taken place including a reduction of our common dark side emissions by at least 50% and please note these numbers do not include the aspect of equity which is necessary to make the Paris agreement work on a global scale nor does this include tipping points or feedback loops like the extremely powerful methane gas released from the thawing arctic permafrost. People like to tell success stories, but financial success has come with an unthinkable price tag and on climate change we have to acknowledge that we have failed. All political movements in their present form have done so and the media has failed to create broad public awareness. We are at a time in history where anyone with any insight of the climate crisis that threatens our civilization and the entire biosphere must speak out in clear language no matter how uncomfortable and unprofitable that may be. We must change almost everything in our current societies, the bigger your carbon footprint the bigger your moral duty. The bigger your platform the bigger your responsibility. Adults keep saying we owe it to the young people to give them hope, but I don't want your hope, I don't want you to be hopeful, I want you to panic. I want you to feel the fear I feel every day and then I want you to act. I want you to act as you would in a crisis. I want you to act as if our house is on fire because it is".

Wheeler: Thank you, director Durbin.

Durbin: Thank you. For the record I'm Andrea Durbin, director of the bureau of planning and sustainability. Mayor as you've stated fossil fuel operations pose a significant threat to the health of our community. We have heard from the public community members, youth advocates that reducing the risk and improving community safety is critically important as is transitioning away from our fossil fuel dependence towards cleaner fuels. Before we walk through the zoning amendments today I would like to update you on the other work that the city is doing to address fossil fuels that will be coming before council next year. Bps has been working closely with several other bureaus including the Portland bureau for emergency management, the city attorney's office, bureau of development services and Portland fire and rescue. Reducing the risks posed by these operations in a liquefaction

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zone and providing the community with more information is one of our priorities. To that end we appreciated the city council contributing funding to pbem in the fall bump process to join with Multnomah county to research the economic and environmental impacts of the seismic disasters specific to the critical energy infrastructure hub as well as research risk bonding options to support response, cleanup and remediation. We expect the study to be done next year providing important information for both the city and the county to determine the best ways for to mitigate risk. Pbem is also developing a proposal for city council consideration next year to adopt seismic requirements for storage tanks in Portland critical energy infrastructure for safety and resiliency and also to strengthen community right to know and pre notification requirements for the receipt and storage of fossil fuels and other hazardous materials in Portland. Pbem director mike Myers will be joining invited testimony later and he can answer any questions you have specific to the work that they are leading. It's also important to quicken the transition to cleaner fuels including the electrification of the transportation sector to reduce our dependence on fossil fuels. To that end bps will propose in an ordinance scheduled for December 18th to move implementation of the renewable fuels standards from bds to bps, so that we can start the update for renewable fuel standards to help transition more quickly to clean fuels, we expect to do this work next year. Bps is also working with bds and pbot to explore local options for electric vehicle charging. We know that we need to make it easier for people to charge their electric vehicles at home and work to encourage more adoptions of electric vehicles. And finally we are working to place limits and restrictions on expansion of fossil fuel operations in Portland. That is in part what you'll be hearing about today, but what we will consider today is just the first phase of the zoning work. As the mayor mentioned because today's amendment is not as comprehensive as we need to reduce the risks posed by these operations we intend to work on phase 2 and bring that back to council next year. For example we will need an additional ordinance to address offloading and transloading facilities. Public testimony today will likely raise concerns and suggestions for what we might consider in this phase 2 process of the fossil fuel zoning policies. To ensure that Portland has a more comprehensive and protective zoning provisions in place that reduces risks, improves safety and better protects the health of our communities. With that broader context for the work that is currently underway, I will now introduce Tom Armstrong, who's a planning and sustainability supervising planner to brief you on this zoning amendment.

Tom Armstrong, Bureau of Planning and Sustainability: Thank you, yes Tom Armstrong from bps. I have a presentation but the projector isn't working so you have a printout, we've distributed printouts through the audience so they can follow along as well and it has been posted to the project website so people can download it as well. Starting on slide two there's a map of the existing terminals in Portland. All of these are located in what we call the northwest industrial district stretching along the river out past the St. John's bridge. There are 11 fossil fuel terminals, 10 of them are focused on petroleum fuels and products and one natural gas storage facility that really manages the regional peak consumption in the wintertime. These fossil fuel terminals handle over 90% of the fossil fuels that serve Oregon and are sold in Oregon, and it really is often referred to as the critical energy infrastructure hub because you have a confluence of the river access, the freight routes, the rail access, and the pipeline access because almost all of our fuel comes from the refineries in Puget sound, most of it via pipeline, the Olympic pipeline down Washington, and that main pipeline ends in the Portland harbor area and serves these terminals. On page three is the policy direction that we had that guided us in how we constructed these zoning amendments. First the council adopted a resolution in November 2015 to oppose, actively oppose the expansion of infrastructure that was primarily for transporting or storing fossil fuels in or through Portland and then the second policy

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direction was in 2016 as part of the comprehensive plan we adopted a policy to limit the fossil fuel storage facilities to those necessary to serve the regional market and I will get into a little bit later as to what that actually means. On slide four is a map that was prepared by dgami, the state department of geology and mineral industries, I think that's it. That shows the probability of liquefaction in and as you can see in the red areas that really covers almost all of Portland's industrial districts. That is why these zoning code amendments apply to all of our industrial and employment zones and not just some sort of overlay that applies to the northwest industrial district. So on page five we get into the zoning code amendments and this package what we did, we defined what we mean by a bulk fossil fuel terminal and that is a larger facility that really handles or does what we call transloading. So, they move the product from one type of transportation mode, pipeline, barge, rail, to another type of transportation mode. Most of this comes in via pipeline and barge and goes out to the rest of Oregon and southwest Washington via truck, there's a smaller pipeline that serves the Willamette valley down to Eugene. Once we have defined that use then we regulate it and what we have essentially done is prohibited all new terminals in all of the zones in Portland and then we've designated the existing fossil fuels as a limited use and designating it as limited use allows it to continue to operate, continue to make seismic upgrades. The only thing they can't do is expand the storage tank capacity from what they have today. In the ordinance, there are a few minor technical changes that we made because since 2016 when these amendments were originally adopted the zoning code there have been subsequent amendments to the zoning code, so we have made some adjustments to realign it and reconcile it with those changes that have been made over the last three years. Slide six is an important concept. The way these regulations are structured is, and we know out there on these terminals that they have a mix of older tanks. I think the last tank out there was built in 2012, and the way the regulations have been structured is that the terminals do have the option of replacing their storage capacity. So that if they want to take down some smaller tanks and consolidate that and put that same amount of storage capacity into a larger tank that is built to current seismic codes they can do that and that's one way that we think that we've allowed those terminals to continue to operate and eventually hopefully invest in their facilities to make them safer. On slide seven is the new use category that I talked about, a bulk fossil fuel terminal, has that multimodal access. I think what we're trying to do there is distinguish it between oftentimes the gasoline will come into these ten terminals that handle it and go by out to other trucks. They may have an intervening distribution facility before it goes out to the retail outlets. If it's coming in by truck and out by truck, that's not covered by these regulations. We also last time around in 2016 when we adopted this we included exclusions for airports and marine and rail service facilities. So at the airport, for example, there's fuel storage, jet fuel storage and in the port and at the railyards there's fuel depositions that are not included in these regulations. On slide eight is the definition of what is a fossil fuel and we carefully worded this definition specifically to not include new renewable fuels such as renewable biodiesel and other renewable additives such as ethanol that are going to be needed and used to transition us off of fossil fuels, so we wanted to make that distinction there. As has been stated on slide nine, this was appealed to Luba and then the court of appeals and eventually to the Oregon supreme court. It has come back down to us. There were two errors that were sustained through that whole process. There were three errors, actually, two of them are relevant today. The first error is there's guilds lake industrial sanctuary plan which was actually adopted way back in 2001. The first time around we did not address those policies and so in the policy findings today with this ordinance we have done that. Luba faulted us around not having enough evidence or discussion about addressing the demand, future demand for fossil fuels and how we weigh cargo forecasts versus other consumption forecasts and trends and I'll talk a little bit about

those today. The third issue is Luba found that we didn't adequately address an objective in the old comprehensive plan but subsequently we adopted a new comprehensive plan with new policies that were evaluating this proposal against, so that remand issue has become moot because that policy is no longer in effect. On slide 10, the guilds lake industrial sanctuary plan applies to that northwest industrial district along the river. It was adopted in 2001, it was designed to limit uses, further limit uses in that industrial area to preserve it as an industrial sanctuary. Many of those use limits have been incorporated into our new prime industrial overlay zone that was adopted with the comp plan and these amendments really only apply to one type of use in that area and that I think the higher level or the more important issue we're not changing the map, the zoning map, we're keeping our same industrial base. We are not regulating other industrial uses in that area and so we think we have made findings that show that we are consistent with the guilds lake plan policies. On slide 11 as I mentioned before we have a new policy around fossil fuel distribution, and that it seeks to limit those facilities to those necessary to serve the regional market, and that's the key phrase, is for you to decide what is necessary and what is the regional market. On page 12, it really is sort of again the regional market as we have recommended that you find and define really is the state of Oregon because we are that gateway hub from the petroleum refineries up in Puget sound. We also do we recognize that we serve southwest Washington as well. Unfortunately the data that is available doesn't allow us to parse it below the state level so we think that just limiting it to the state of Oregon is close enough and good enough for defining the regional market under this comprehensive plan policy. So what are we going to need? What's going to be necessary to serve the region? On slide 13 is information from the u.s. energy information administration. Every year they produce what's called the energy outlook, annual energy outlook. This is a chart from the 2019 version, where they project out for the nation what they think the demand for petroleum and other liquids will be out to 2050 and they go through a number of scenarios and we have focused here on the reference case and what that says for the nation they expect it to be flat in terms of the amount of petroleum that will be consumed in the nation, so that's one forecast of what we are going to need in the future. I think what they find is there's increasing energy efficiency across all of the end users, but again unfortunately in this instance they do not break it down to the state level. So we have this forecast at a national level, but there's nothing to indicate that Oregon would be any different than the national. On slide 14 is state level data. This looking back at what the trends have been since 1990. Again this comes from the u.s. energy information administration. The top line is total petroleum fuel consumption and we have broken out subcategories that account for most of that, which is gasoline is the uppermost of those lower lines. The next one is distillate fuel oil or diesel fuel and the bottom one is aviation and jet fuel. Then on slide 15 shows why these are -- these lines are relatively flat when we have a growing population and a growing economy, and that's because fuel efficiency and per capita consumption has been going down over this period, so as we have grown in the number of end users the amount per person has dropped. So that allows these lines to be flat over that time where we have had a lot of growth. The one state forecast that we have on consumption side comes from odot and their projections for gas tax revenue out into the future, this one is was done this year, goes out to the year 2029 and they are projecting a flat or lower in terms of the number of gallons of gas that they expect to be consumed and generate gas tax revenue.

Fritz: What does with or without conditional, what does that mean?

Armstrong: My understanding is when they passed the state legislation to raise the gas tax it's at two steps. They immediately implemented a 4 cent gas tax and there's another 6 cents bump if certain conditions are met, but if you look, those two lines line up exactly the same. So, whether or not those conditions, whether it goes from four cents or ten cents

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odot saying that price indicator isn't enough to really change the amount of gas that gets consumed and they are both down from where it is today.

Fritz: Is that what we found in Portland since we had the gas tax that hasn't really affects how much people drive?

Armstrong: I don't know that but I can check with pbot on what they've seen in terms of the gas tax revenue.

Fritz: Thank you.

Armstrong: So on slide 17, what was opposite of this showing flat or declining consumption in the future are a series of cargo forecasts that really look at the types of cargo flowing through the Portland harbor and this is both port of Portland facilities as well as the private facilities, and this is really what Luba found us not clearly addressing last time is how do you reconcile these other consumption forecasts with the cargo forecast and the cargo forecast there's been a number of them over the last eight years. They are sort of declining in terms of the amount of growth that they are projecting and these rates are for what we call liquid bulks which is primarily petroleum fuel and some other materials, but most of it is petroleum products. I would say the 2011 Oregon freight plan really reached back and if you dig into the numbers it's based on 2002 federal data so it's getting pretty old when you look at that. Odot did an update of the freight plan in 2017, they did not update this forecast as part of that, it was mostly a policy update. We had some studies done 2012 as related to the west Hayden island study at that time and that study was really significant in that they projected a .7% annual growth rate. Also those studies found that even at that growth rate out to 2035 there was enough capacity in the system to accommodate that growth. So again, it calls into question how much additional capacity we're going to need in the future. The other balance to this is on page 18 and I think we'll hear in testimony today a series of other policy initiatives that have not been factored into these consumption trends fully yet or the forecasts that really look at reducing fossil fuel use. You know, it is at the state level with odot and deq programs, it's at the regional level with metro and their climate smart communities program and it is at the city level with our climate action plan and our transportation system plan. They are all looking to bend that consumption curve and reduce the consumption of gasoline. On page 19 I think where we're at in the findings and looking at the comp plan policy as a whole is that there's a wide range of policies that we have to balance when making these decisions. I think this ordinance does that in terms of when you look at the policies that talk about reducing risk from natural hazards including earthquakes we have again as we have just gone through limiting fossil fuel terminals to what is existing is likely to be what is necessary to serve the regional market when you look at all of these trends and forecasts.

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Then finally we're doing it in a way that maintains our economic base and our industrial sanctuaries. This one use out of many. The other industrial uses are, the regulations do not change for them as part of this. Finally I want to note in your packet and again posted to our website we have one technical amendment that we would like put on the table. They are in this as part of this original adoption. We had a neighborhood contact, and this speaks to some of our other actions about right to know, in that in the future if any of these terminals come in for new storage capacity, whether that's to replace and reconfigure their existing capacity or for nonfossil fuels, or for aviation fuels, they need to notify the neighborhood ahead of time. There's a whole series of regulations about how they do that. So that there is advance notice and a community dialogue about what they are doing and why they are doing it. So everybody understands what is going on, which is not what happens today.

Wheeler: Are there any questions on the technical amendment proposed by bps? Can I get a motion?

Hardesty: So moved.

Fritz: Seconded.

Wheeler: Motion from Commissioner Hardesty. Second from Commissioner Fritz.

Armstrong: Are there any other questions about this amendment package?

Wheeler: Call the roll on the amendment.

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

Wheeler: Aye. The amendment is adopted. All right, so we are moving on to the exciting part of the program. That's the public testimony phase. So we're going to be opening up the floor to testimony on the fossil fuels terminal zoning ordinance and the draft amendments. We would like to start with the invited testimony portion of the hearing. We have a few special guests with us today. We're greatly appreciative of their presence. Multnomah county commissioner susheela jayapal is here today. It's good to see you again. Aja Decoteau from the Columbia river intertribal fish commission has joined us. Thank you for being here today. And of course mike Myers, the Portland bureau of emergency management director. Thanks all three of you for being here today.

Susheela Jayapal: Good afternoon. Good afternoon mayor and commissioners. Thank you so much for having us here. My name is Susheela Jayapal, I am the Multnomah county commissioner for district two which represents north and northeast Portland and includes the neighborhood of St. John's and other north Portland neighborhoods that are right across the bridge, right across the river from the critical energy infrastructure hub. I'm really here to thank you for the action today that you've taken today and for your partnership with the county in matters relating to the hub and to fossil fuel infrastructure. The first step to getting out of the hole is to stop digging it deeper. That's what today's action by the council does. It prevents the further development of fossil fuel infrastructure. We can no longer afford fossil fuel infrastructure in our community. We can't afford it because if we hope to prevent climate collapse we must move away from the fossil fuel economy with both speed and urgency. To do that we have to stop investing in 20th century sources of energy, embrace 21st century renewable energy resources and manage the responsible transition away from the fossil fuel economy. In addition to the climate crisis, as you've heard as we know we have another reason to act. The critical energy infrastructure hub that's being regulated with today's council action is built in the worst place imaginable. Next to the river, near neighborhoods and homes, on soils that will liquefy and spread when the earthquake arrives. The cei hub has 360 million gallons of storage tank capacity. Most of that capacity is in tanks that were built before we knew about the risks of earthquakes in our region and those tanks won't survive an earthquake. For comparison the exxon valdez spilled 11 million gallons of oil. Closer to home we saw a small preview of what could happen at a tank farm when two storage tanks at a new star

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facility in California burst into flames and released a cloud of choking black smoke because of the suspected impact of a small earthquake. The commitment of the city of Portland in today's action is a testament to our community's resolve to address these difficult threats to our safety and the safety of future generations. Today's action combined with the ongoing partnership between the county and the city to address risk from the CEI hub is a step in the right direction. It's one of many steps in our journey out of the hole that we are in, an ecological and emergency preparedness crisis caused by the fossil fuel industry. We need to stop digging ourselves further into that hole and start climbing out. This is happening here in Portland and Multnomah county because we have the community's resolve and support and it will happen across the country because we have no choice but to act boldly, bravely and with urgency. Thank you.

Wheeler: Thank you, commissioner Jayapal, for being here today. We appreciate your leadership and we appreciate the partnership with Multnomah county. Thank you. Good afternoon.

Aja Decoteau: Good afternoon, Mayor Wheeler, members of city council. It's a pleasure to be here today amongst you and also amongst this panel of distinguished folks. My name is Aja Decoteau, I am a citizen of the Yakama nation. I also serve as the watershed department manager for the Columbia River Intertribal Fish Commission who represent the lower Columbia River treaty tribes who have reserved rights throughout the Columbia River basin. The Columbia River is the life blood of this region supporting a rich and diverse ecosystem that has molded cultures, diets and religions of the tribes since time immemorial. In the past 200 years, the Columbia River and this region has changed dramatically not always for the best for the resources it supports. The tribes are on the frontlines when it comes to bearing the burdens of climate change having already begun experiencing changes to our first foods, the salmon, the game, the roots and the berries. For us, these natural resources are our cultural resources. The Columbia River and its fishery resources are battling impacts from development and pollution. Tribal fishers in the Columbia face even larger risks and potential impacts. In addition to our diets rich in fish we spend much of the year outside where we are exposed to the air and water in and along the river. The tribes and the railroads have a long and complicated relationship. Trains run along both sides of the Columbia River, impeding tribal fishers' access to fishing sites and creating risks of accidents. The recent escalation in hauling fossil fuels by unit trains alarmed our tribal members, not only because of increased risk of harm to them, but also because of the increased risk of what is often called low probability high consequence accident. A spill of any type of crude, be it heavy tar or light Bakken will have significant and long term impacts to the aquatic resources of the river. We learned this lesson from the Exxon Valdez spill 25 years ago. Despite a quarter of a century, Alaskans still find oil residue on the beaches and under rocks. The 2016 Mosier crude train derailment fortunately did not involve a devastating spill into the river however it woke the region up to the potential of a major catastrophe. There were many lessons learned from this spill but the primary lesson is we must protect the river at all costs. With the current legal landscape we cannot totally prohibit trains laden with fossil fuels from traveling through the gorge, however, we can do our part to reduce our need for them in the first place. We support the city of Portland's recent resolutions opposing coal trains and curtailing the expansion of fossil fuel infrastructure as first steps to addressing climate change and protecting the environment. We fully support ordinance #188142. Thank you.

Wheeler: Thank you, Ms. Decoteau. We appreciate it very much. Thanks for your leadership. Good afternoon.

Mike Myers, Director, Portland Bureau of Emergency Management: Good afternoon, Mayor, Commissioners. For the record my name is Mike Myers, I'm the director of the Portland Bureau of Emergency Management. I have worked as a firefighter, fire chief,

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emergency manager for over 30 years. I have seen a lot of disasters both large and small. Not much phases me to be honest. I'm not a nervous guy, but what I do worry about is the cei hub. The concentration of the state's fuel storage tanks in such a perfectly bad location on liquefiable soils in a 500-year flood plain, next to the urban wildland interface with very limited ingress and egress could hardly be worse. In a major earthquake the cei hub poses a grave threat to the safety of the surrounding community. It also threatens our environment and the economy on a scale that is difficult to imagine. A major disaster at the cei hub could hamper lifesaving response actions and delay needed assistance by weeks and months due to fuel shortages. Meanwhile that spilled fuel could poison the Columbia river all the way to its mouth. Together these impacts would economically cripple our state. It is for that reason that I am focused on efforts to decrease the vulnerability of the cei hub. My colleague Andrea Durbin has already mentioned that I intend to propose seismic upgrades requirements for tanks. I very much look forward to bringing this to you and the council in 2020. But in the meantime, the first step to improving safety in the cei hub is to stop making it bigger. The code changes proposed prevent the expansion of fuel storage and location that should never have been used for fuel storage in the first place. At the same time it permits equipment replacements and upgrades that increases safety and that is a good thing. I'm happy to support the work of our partners at bps in taking this important step to increase the disaster resilience of the city and our state. Thank you.

Wheeler: Thank you. We appreciate it very much. Thanks all three of you for being here today. All right, so now we're going to open this up to public testimony. Karla our able board clerk is going to read the names of people in the order in which they signed up, however, if you have a disability or if you have small children or if there are other pressing circumstances that require you to be moved up in the line please let Karla know and we will accommodate you. She will read three. If people could come up, the microphones slide around and we find that six inches is about the right distance. There are about 16 people signed up so we can give three minutes for each person to testify. I would ask as your testimony comes to an end and the buzzer goes off if you could please stop your testimony. You have three minutes but there's a lot of people who do want to speak. So without further ado, Karla, could you please read the first three.

Moore-Love: Yes, the first three please come on up, are Mario mijares, Cathy sampson-kruse, Elijah cetas, and they'll be followed by kelly o'hanley, ella shriner and violet o'herron.

Wheeler: Welcome. Thank you. Name for the record. We do not need your address unless you want to give it to us for some reason. If you'd like to start please. Thank you.

Mario Mijares: Yes. Hello, my name is Mario Mijares, organizer for Columbia river keeper. Thank you for the opportunity to comment on today's very important gathering. We strongly support the implementation of Portland's landmark fossil fuel zoning code ordinance. We know that city staff have provided information that resolves the few outstanding issues that Oregon's land use board of appeals has identified. We support the policy as it is proposed and as it was approved in 2016. It's an important step in preventing the fossil fuel industry from expanding their shipment of toxic fossil fuels. Fossil fuels pose major risks to the health and safety of nearby neighborhoods, communities on oil train routes and downriver towns that rely on the Columbia river for drinking water. These recent events highlight some of the risks. In september an lpg train car struck the ongoing bridge onto swan island causing more than \$1 million in damage and impacting traffic in and out of swan island. This event could have been much worse if the lpg railcar had ruptured and burned. In October a new star tank explosion rocked a refinery complex in Crockett, California, collapsing fuel tanks, closing i-80 and releasing plumes of toxic smoke. It's possible that this fire and tank farm failure resulted from a 4.5 magnitude earthquake. A small fraction of the seismic risks we face here in our region. Those are only two incidents

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that demonstrate the level of impact and the risk of gambling the safety of people and environment. The community is more motivated than ever to support the city's ordinance. We look forward to the council's vote to readopt the fossil fuel terminal zoning amendments as written and to put this important policy into effect. We also look forward to working with the city to continue to develop proactive policies to address the health, safety and environmental risks associated with fossil fuel infrastructures.

Wheeler: Thank you. We appreciate your support.

Mijares: Thank you.

Wheeler: Thanks for your hard work. Good afternoon.

Cathy Sampson-Kruse:[speaking in foreign language] in my native Walla Walla wallulapum language I say [foreign language] good day. My wallulapum name is wey-ow'sux, Cathy samson-Kruse. I'm an enrolled member of the Walla Walla tribe, the cayuse and umatilla in eastern Oregon. My parents are otwey carl sampson, chief yellowbird, and marion arleta sampson. I'm not an elected leader but I'm an elder now. I'm on the board of the Columbia river keeper in hood river and the advisory board of the civil liberties defense center in Eugene Oregon. My husband and I have eight children, 12 grandchildren and two great grandchildren. I have lived many places in my life. From our umatilla indian reservation to a Yukon-kuskokwim village of bethel, alaska. In the early 1970s I lived across the river in northeast. I commuted to Portland state university. I have returned to support my daughter who is attending ohsu. I enjoy the parks and the walks near the Willamette river with my granddaughter juniper. I was raised as my ancestors were to cherish mother earth, all that she provides her people and all the creatures living on and with her. In return we have always been taught to respect and protect mother earth. The land, the air and the water. This is the balance of things that has allowed us to live on this land for all generations before. A new threat is upon us, the rapid growth and execution of plans for northwest expansion of fossil fuel infrastructures, small modular nuclear reactors and the devastation of coal and fracked gas exploration. I was here in 2016, before you. I'm going to continue my pleas for us to move past dependence on king kong. The coal, the oil, the nuclear and the fracked gas which there is nothing natural about fracked gas. Be it solar, wind, net-zero homes and listening to indigenous wisdom for sustainable solutions hand in hand with scientific wisdom for a just transition to clean energy and livable planet. A new attack on mother earth must be stopped. I stand with all who join this fight so I ask you to be on the right side of history. Be the wisdom keepers for the city of Portland, the entire state of Oregon and the northwest communities will follow your lead. Be the ones who look seven generations ahead. Protect your community, protect the rivers, and the beauty our mother earth has given us. Vote in full support of the fossil fuel zoning ordinance. [foreign language] We are here forever. Aye.

Wheeler: Thank you. I appreciate it. Good afternoon.

Elijah Cetas: Good afternoon. This is close enough.

Wheeler: Yeah, that's perfect.

Cetas: Greetings, commissions. My name is Elijah cetas and I'm grass roots organizer with center for sustainable economy here in Portland. We support the fossil fuel terminal zoning amendments in their present form and we see them as an integral part of an eventual managed decline of the fossil fuel infrastructure in Portland coinciding with a deep investment in our communities in cleanup, restoration and resiliency. The passage of this ordinance in 2016 was a remarkable moment in Portland history when grass roots activists, city staff and elected officials responded to a crisis and decided large scale fossil fuel infrastructure expansion would no longer be legal here. The fossil fuel industry and local business advocacy organizations like the Portland business alliance saw their power threatened and sued the city. Having been thoroughly defeated in the court of popular opinion they turned to their high priced lawyers and sought to defeat the amendments in a

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court of law. Nevertheless, the city largely prevailed and the remand process before us is about curing some of the minor deficiencies in an otherwise defensible, reasonable and necessary regulation. The fossil fuel terminal zoning amendments represent an enormous step forward when it passed three years ago and it's still is a good law. Our victories have emboldened other jurisdictions to look at the risks that their communities face from spills, explosions and natural disasters, and to begin to regulate the many dangers of the fossil fuel industries in their homes. So in January of this year king county, Washington, passed a moratorium on new fossil fuel projects and will likely adopt permanent restrictions in coming months. In Vermont and New York state there are bills introduced for moratoria on all new fossil fuel infrastructure. These and other efforts are inspired by and directly utilized language from the Portland amendments. Even closer to home, the port of Vancouver recently made a binding policy to not allow new bulk fossil fuel terminals. This is an extraordinary development because it came just one year after the largest oil by rail export facility on the west coast was rejected by Washington state regulators and governor jay inslee in Vancouver. City of Portland has an important role to play in the energy transition beyond the fossil fuel terminal zoning amendments. Your collaboration with Multnomah county on a fossil fuel risk assessment and your commitment to further health and safety policy are welcome steps. Moving forward as we continue to innovate locally as we must we must also push hard on our state legislatures toward a statewide moratorium on new fossil fuel infrastructure and for a framework for a managed but rapid decline of the fossil fuel industry in line with 100% renewable energy powered economy. Portland has showed that cities can lead with direct and effective fossil fuel infrastructure policy. The community has showed up in the streets, in the halls of government and at the ballot to demonstrate overwhelming support for strong climate action. We support the reduction of the fossil fuel terminal zoning amendments. Thank you.

Wheeler: Thank you. Thanks all three of you. We appreciate it. Next three, please, Karla. Moore-Love: Kelly O'Hanley, Ella Shriner, Violet O'Herron, and they'll be followed by Robert Boyer, Micah Meskel, and Melanie Plaut.

Wheeler: Good afternoon. Would you like to start please.

Kelly O'Hanley: Sure. My name is dr. Kelly O'Hanley. I'm speaking on behalf of Oregon physicians for social responsibility.

Wheeler: Thank you.

O'Hanley: Thanks for letting us speak. As we have heard this afternoon if we don't act quickly on a global scale climate change will become essentially unsolvable. Technically it is possible to move away from climate busting fossil fuels. And so the real question is how do we get there? How do we make that happen? And that's where politics come in. Unlike other political fights balanced and measured answers will fail us. So we need so-called radical solutions. Happily there are some rays of hope. When trump pulled out the climate accords he explained he had been elected to govern Pittsburgh, not Paris, but the next day the mayor of Pittsburgh said that his town was planning on 100% renewable energy. [laughter] A pledge that was taken up by other cities. Cities and counties across the country are suing exxon, b.p., chevron, shell and others to pay for sea walls and other infrastructure and then there's Portland. We also passed a 100% renewable resolution and acted even more radically. We passed the landmark no fossil fuels infrastructure resolution, we fought and won the legal challenge to it, and hopefully today will pass the zoning code amendments and the eyes of the country have been watching. Milwaukie, Oregon, Eugene, Corvallis, hood river, Seattle, Tacoma, Vancouver b.c., los Angeles, Richmond, California, Baltimore, Honolulu are all considering or have actually passed their own versions. So what's next for Portland? Today hopefully we'll proudly celebrate no new fossil fuel infrastructure. Tomorrow we'll take additional radical steps for reinvention. Hopefully in addressing transportation, mass transit, risk bonding, use of forest products,

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building codes and so on in other words every aspect of our lives that affect climate. So Portland, keep leading and move fast. Thank you.

Wheeler: Thank you, appreciate it. Good afternoon.

Ella Shriner: Good afternoon. My name is Ella Shriner. I'm 17 years old and I was born and raised in Portland. I'm also a founding member of the Portland youth climate council but today I'm speaking to you as a concerned individual. This morning I was at home thinking about what I wanted to say to you today. I thought I would focus on the risks fossil fuel infrastructure poses to public health and safety, as well as our environment. I wanted my testimony to have facts and I wanted to say the perfect thing that would make it clear to you how important these zoning amendments are and how important it is that they just be the beginning of our rapid journey to dismantling fossil fuel infrastructure in Portland but as I sat hands poised above the keys waiting for inspiration to strike I broke down into tears. The truth is I don't know what I could say that could make it clear. What I could say that would make you and move you as leaders to take the necessary and ongoing actions. If leaders around the world are not stepping up because doing so would threaten their financial support from the very corporations responsible for this crisis, I don't know what I could say. If millions of young people have struck from school and marched together screaming for action without sufficient response I don't know what I could say. If a growing number of climate refugees facing the loss of their home and even death doesn't move us to action, I don't know what I could say. If polar ice melt, ocean acidification, sea level rise, devastating fires, climate enhanced heatwaves, arctic blasts, tornadoes and other extreme weather events are not enough for us to change then I just don't know what I could say. One thing I hear most as a climate activist is, wow, when I was your age I wasn't doing anything like you're doing. When I hear that I always think, well, that's because when you were my age you didn't have to. The reality is we have never before faced a crisis like the one we're in. This moment in time calls for all of us to step out of our comfort zones and do things we have never done before. We need to take risks. Mayor Wheeler, I remember you told me about your daughter when I delivered a video to you about the danger of natural gas back when you were the state treasurer. Did you ever find yourself thinking about how fast she's grown up?

Wheeler: I do. [laughter]

Shriner: How it feels like just yesterday that you were watching her take her first steps, say her first words, and how old is she now? 12? 13?

Wheeler: 13.

Shriner: Well she was born more years ago than we have left to take drastic action. If we don't her fate, my fate, and the fates of the rest of our and future generations will be sealed. Four years ago I testified as a 13-year-old in favor of the resolution that led to these zoning amendments. Commissioner Fritz, you may remember the little middle schooler singing the times they are a-changing and presenting you with climate champion awards.

Fritz: They're in my office.

Shriner: Those were hopeful times but I'm not a middle schooler and I along with thousands of my peers are preparing to cast our first votes. The times, they really are changing and we're watching to see if all of you are willing to take the risks that this time demands. Thank you.

Wheeler: Thank you. Good afternoon.

Violet O'Herron: Hello, commissioners. My name is Violet O'Herron, I'm a member of the Portland youth climate council and a seventh grader at ockley green middle school in north Portland. I want to start by saying thank you. Makes me hopeful to know the city of Portland is actively working on climate solutions. There's no single simple solution to the climate crisis. It is clear however that there's no way we can solve the problem unless we

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stop building more fossil fuel facilities and drastically decrease the amount of fossil fuels we're using. The city's law to ban new fossil fuel infrastructure is a really good start. All of us need to do something. Having a future on a planet with a livable climate was something my parents were able to take for granted when they were growing up. I don't get that luxury. My generation doesn't get that luxury. I have a deep desire for things to be okay with the world but I know things are not. My concern that not enough is being done has led me to go on climate strike every Friday here at city hall. I'm inspired by Greta Thunberg and by her example of how much one young person can do. I'm also working together with other young people of Portland youth climate council to advocate for local climate solutions. I'm trying to do what I can do. I want to challenge everyone here to ask themselves, what more can you do? For the commissioners I think stopping the export of tar sands through zenith would be a good next step. Thank you for your time.

Wheeler: Thank you. Thanks all three of you. Commissioner Hardesty.

Hardesty: I want to appreciate the two young people who came in and testified. The young woman who said when she was 13 when she testified the first time, I can assure you that at 13, the thought of going to Salem to testify to legislative hearing would not have been in my world view and I want to tell that other young lady what a fabulous job you did. I knew you were nervous when you came up, but I gotta tell you your voice didn't shake at all. You had very powerful testimony. Thank you so, so much for being here.

Wheeler: Next three, please, Karla.

Moore-Love: Robert Boyer, Micah Meskel, and Melanie Plaut, and they'll be followed by Monica Zazueta, Ryan Rittenhouse, and Edith Gillis.

Wheeler: Would you like to go ahead and start for us, please?

Micah Meskel: Sure.

Wheeler: Thank you.

Meskel: Council and mayor, my name is Micah Meskel, I work for Portland Audubon. Portland Audubon has been advocating on issues regarding the northwest industrial area for over 40 years. We have known for a long time many of the industries located along the river pose a huge risk to our environment and our community. This is especially true for the fossil fuel terminals and that is why we're here today to support the re-adoption. Situated in a liquefaction zone between two of our city's most important natural resources forest park and the Willamette river is less than ideal. With these facilities built before current building code and seismic standards were in place. This places is a huge public and – this places are public and private investments in the superfund cleanup and forest park restoration at great risk. As important or more important it also puts adjacent neighborhoods like Linton and St. John's at risk as well. But also downstream communities, local workers and communities along the infrastructure that services these facilities like pipelines and rail lines. Many of this infrastructure intersects through low income and communities of color in north and northeast Portland. Several years ago alongside our coalition partners we helped push this policy forward. We worked collaboratively with the city to help shape it. We helped defend it in court when the oil industry and the Portland business alliance challenged it. Today we're here to give support for the proposed amendments and re-adoption. The reinstatement of this ordinance is an important step by the city in re-implementing the grass roots led vision to protect our community and environment from additional fossil fuel infrastructure and it must be followed by additional, more ambitious steps if we are to further mitigate the extensive risks of existing fossil fuel infrastructure located along the Willamette river throughout the city of Portland. We are happy to hear today about the ongoing work that the city is undergoing. As you see we're here to support you and to get behind your leadership and we will also be here to hold you accountable to that. Thank you.

Wheeler: Thank you. Good afternoon.

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Melanie Plaut: Hi. Mayor and council, I am Melanie Plaut. I'm speaking today for 350 pdx. Dineen Orourke who is on the staff there was unable to come because she's ill. Three years ago then mayor Charlie Hales said before making the vote unanimous, I'm really proud to be a Portlander and I'm really proud to preside over this city council. I vote Aye. The chamber erupted in cheers. In fact, Dineen, who was working on the east coast in New England said that it was meaningful to her to all the way across the country when council passed this amendment the first time. The fossil fuel terminal zoning amendment was groundbreaking. I would like to think cities can still lead so I add my voice to those who support the council in reinstating this code. In the intervening three years much has happened. The climate crisis has accelerated more rapidly than the most pessimistic estimates. Weather changes, floods, droughts and wildfires have made it hard for even those who profit from the fossil fuel industry to deny that climate change is occurring. Yet the federal government and state governments seem unable to take action commensurate with the crisis. What you do this council gives us hope and has proven to be a model for other jurisdictions. Here in Portland we are even more aware than we were three years ago of the risks posed by the tanks and trains in the critical energy hub. In three years trains across the country have derailed, pipelines have leaked and tanks have exploded. You know that here in Portland we have unique safety risks which I think Mike Myers outlined more eloquently than anyone else could. This means that not only is it permissible as determined by the courts for the city to take action on the new bulk fuel storage code, it is the only moral option. The transition to renewables has started though not fast enough. To stand a chance of meeting the city goals for 100% renewable energy we will need to greatly accelerate the expansion. It makes less and less sense to build anything new that supports fossil fuel use when what we really need is the rapid transition off fossil fuels. We can do this. We just need to do it faster and we can't go backward. The fossil fuel zoning amendment is like insurance against backsliding. This code is a crucial step yet in itself is not enough as others have said and we look forward to the discussed actions that the city can take. The first step today, however, is to complete what began in this room three years ago. We ask you to continue to stand strong in the face of the fossil fuel industry and the push to maintain the status quo. Remember cities lead, make us proud again.

Wheeler: Thank you. Appreciate it. Good afternoon.

Bob Boyer: Mr. Mayor, council members, I'm Bob Boyer. I love Portland. I have been here at the air base since 1961 before a lot of people here were born or in elementary school. I worked on the waterfront over 40 years. I was president of the union that run the tugboats. I had no idea when I worked at the shipyards sand blasting and painting ships that we were polluting the river. So I want to help clean it up. Right now I sit on the board of property tax appeal for Multnomah county, convincing people why their property taxes are at that rate. Here we are sitting on a time bomb. So I have decided to do a little research. I also was a yard foreman for the southern pacific railroad and before that I laid track. We have derailments in Mosier. Suppose they were all cars that went into the river. This heavy oil sinks right down to the bottom. I'm in support of 1082. I'm here to support you. As a yard foreman I have seen derailments. We just had one at the Albina yard in north Portland with a remote engine. So by having four generations here in Portland, father, grandfather and great-grandfather and myself, I love Portland and for that reason alone I put my hand up to protect this country when I went into the air force. I put my hand up to protect the state when I was a state senator. I have been active and created the neighborhood associations so the citizens could have a voice and for the mayor and city council to recognize us. I love Portland. I'm here to support you and some of you already know me. I mean what I say. Thank you.

Wheeler: Thank you, sir. We appreciate it. Thank you for being here. Thanks all three of you. Next three, please, Karla.

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Moore-Love: Are Monica Zazueta, Ryan Rittenhouse, and Edith Gillis, and they'll be followed by dorn burell, tara ota, and nick caleb.

Edith Gillis: I'm Edith Gillis and I'm saying we need to ban crude oil until safe effective firefighting foam is on site, ban tar sands oil until zenith pays worst case costs to the county and city refundable 30 years after the end of its use and its cleanup. Require oil transport storage refining and use to supply their own safe, fire foam, and I want you to realize there has never been invented any firefighting foam that is effective, prompt thorough or safe or has ever been cleaned up from the environment. Every firefighting foam that's ever been used continues in the bodies and in the children and progeny of those who have used it and the environment and all the species that have been studied in the environment. It affects over 800 -- it causes proven to cause over 800 serious diseases, disabilities and deaths, and it's in every single system of the human body. It continues for generations. Don't allow tar sands oil in Portland or the surrounding waters until the owners and transporters prove through reliable third parties that they have adequate fire and explosion prevention, prompt soil suppression with safe and environmentally beneficial products and processes with each train, tank, terminal, ship and along the routes paid for by the owners. Make sure that their firefighting crews on staff have adequate training, supplies and lifetime for several generations of disability payments. Please read the intercept October 24, 2019 article. The top u.s. toxicologist was barred from saying pfas it causes disease in humans. She's saying it now. After her entire 40 career of study Dr. Linda Burnham retired from the national institute of environmental health sciences 19 years with the epa and the national toxicology program director says firefighting foams are unsafe and harmful. The chemicals known as pfas, or per, polycule and polymolecule and other substances persist in the environment and affect every system in the human body. Don't allow the cause or the need for it until you have proved what we have is safe to deal with it.

Wheeler: Thank you. Commissioner hardesty had a comment.

Hardesty: Thank you mayor, Edith I want you to know one of the things we're looking at is whether or not we can require these industries to have their own firefighting personnel and equipment. What we know is that if we have a major incident in this energy hub that is our firefighters have not been trained nor are we equipped to fight the kind of fire that these oil refineries -- these oil tanks would have. So know that we're working on it. We are working on it.

Gillis: We require fire extinguishers and if they can't come up with the fire extinguisher to put it out they don't have it.

Hardesty: You know Edith I'm not mad at you cause that's one of the first things I thought. I did not want to send my personnel into a situation that they have not been well trained or have the appropriate equipment to respond to, but they would go because that's what they do. That's not acceptable. So thank you.

Wheeler: Good afternoon.

Monica Zazueta: Good afternoon commissioners. My name is Monica Zazueta, I'm from Vancouver, Washington. I'm a wife and a mother of a beautiful five-year-old son named Aries Tabor. Before two months ago I was wrapped up in my own world and didn't watch much news and didn't know what the government really did or what the city council or the port of Vancouver did. I didn't educate myself on those matters because I didn't think they mattered to me. This morning I rewatched a video of Greta Thunberg speaking to the u.n. that was the video that changed everything about my life. I remember feeling scared, confused and shocked. How could we not have known about this, why weren't we pulling away from fossil fuels as soon as possible if our own lives are at stake. I wanted to know more about what was really happening to our planet, our home and wanted to plug in and try to help any way that I could. I didn't know what I could do but I had to do something.

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Every day the truth became more and more clear in the workshop, trainings and meetings that I was attending. Sierra club and sunrise over Vancouver, Washington were two groups I found. Their support and actions were inspiring and we all were working towards the same thing to save our generations and the generations to come. I'm a mother and when I start to think there's a big possibility that he might be living a miserable life with unbearable temperatures, earthquakes, hurricanes and so much more it breaks my heart. The stress, the anxiety, the fear, the anger all come up when I think about the climate crisis. I promised my son that I would try my best to take care of him and I'm going try to keep that promise. I urge council to reinstate the ordinance and continue to stand strong against fossil fuel companies. The work has just begun so I want you to know I want to tell you all that I'm here to stand with you. Vancouver, Washington and is here to stand with you and Portland is here to stand with you.

Wheeler: Awesome. I appreciate this. You know we're going to win this fight, right?

Zazueta: Yes. We are.

Wheeler: Thank you for being here.

Hardesty: We don't have an alternative.

Ryan Rittenhouse: Good afternoon. Thank you for letting us testify today, my name is Ryan Rittenhouse, I work for friends of the Columbia river gorge. With that name probably comes to mind Mosier and the oil train disaster that happened there which is pertinent to this conversation. One of the things I would like to remind folks about that disaster is one of the reasons it wasn't much worse that it was as bad as it was it could have been much worse, one reason it wasn't worse is that the train wasn't moving very quickly Union pacific is currently right now and actually before that disaster had already started the process of trying to expand their siding right through the town of Mosier for the express purpose of raising the speed of the trains to pass through that area. If they are successful at getting that expansion through as they want it they will be able to increase the speed of the trains to 60 miles an hour. The speed of the train that derailed in Lac-Mégantic Quebec and destroyed the town was running away at 65 miles an hour. So you can imagine how much worse the disaster in Mosier would have been had it been moving at 60 miles an hour other than that it was moving very, very slow. Also a quick note, I don't have much time but a quick note on biofuels, as you know we're very concerned with the zenith terminal, also global partners, all of the oil trains that serves those facilities, most of the oil trains that serve the facilities in California and of course all the ones up in the Puget sound all come through the Columbia river gorge national scenic area and while we recognize it's important to allow certain kinds of biofuels in the future, those should be disincentivized in favor of truly renewable resources especially because the fossil fuel industry is very savvy and very good at manipulating laws and loopholes. We have seen that. You're familiar with them over the zenith terminal and I'm worried that in the future they may try this again with biofuel terminals. So it needs to be very clear and we're going to need to maintain very extreme diligence over any such terminals that get approved in the future to make sure that the fossil fuel industry doesn't figure out a way to come and buy that facility and flip it as they have done with zenith and global partners. You have also heard a lot already and you'll probably hear more from the fossil fuel industry about how they want to do upgrades and how all of this is bad for them and bad for their economics. Just remember you are not here to make their jobs easier or to make their business more profitable. You are here to protect the citizenry and the environment and we're all here to dismantle the fossil fuel industry, not make it more profitable for them. To wrap up, this is just beginning. I'm glad to see you recognizing that as such. We need to move forward and this is a golden opportunity to make a just transition not just for the environment but for social justice. This is an opportunity to move towards more transit options more accessibility along those lines

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and just remember that every carbon atom we dig out of the ground and put into the air is one we have to take back out of the air and put back into the ground.

Wheeler: Thanks all three of you. Next three Karla.

Moore-Love: The last three who signed up Doran Burrell, Nick Caleb and Erin Saylor.

Wheeler: Nick you want to go ahead and start, thank you.

Nicholas Caleb: Greetings, commissioner, mayor, my name is Nicholas Caleb I'm the staff attorney for the center for sustainable economy. I have been working on fossil fuel infrastructure campaigns and policy making since 2013. The original energy that brought this infrastructure fight to Portland council has only grown over the years as there's increasing understanding throughout the world that the type of action Portland is taking must happen everywhere at once. I'm very pleased to see the fighting spirit for taking on the fossil fuel industry transcending several different councils. It's necessary given opposition from an industry with nearly bottomless resources. Thank you commissioner Fritz for being an early adopter of strong action, having a strong voice and for your continued attention to these issues. Thank you mayor Wheeler and commissioner Eudaly for your votes to defend the amendments in court and support for remand. Thank you commissioner Hardesty for your advocacy on climate justice issues and for smart and necessary regulations to protect Portland's residents. We look forward to working with you to manage fossil fuel infrastructure and I think we have a great momentum right now. Thank you.

Wheeler: Thank you Nicholas, appreciate it. Last, but not least.

Erin Saylor: Good afternoon, my name is Erin Saylor, I'm a staff person attorney with Columbia river keeper. Thank you for providing us all the opportunity to speak with you today. Industry has submitted testimony into the record arguing adoption of the fossil fuel terminal zoning amendments would prevent the development of renewable fuels. That is simply not the case. Biofuels are specifically exempted from the scope of the amendments and zenith's assertion that the city's recent denial of the request to build three new pipes under northwest front avenue extensively for biofuels was the result of the city resolution against the expansion of fossil fuel terminals completely ignores the rest of the city's decision which was clearly tied to zenith's past performance under its franchise agreement. Companies who want to construct infrastructure dedicated solely to renewable fuels will not be prevented from doing so under these amendments. Companies who choose to handle both fossil fuels and renewable fuels at the same facility are not only free to but encouraged to reduce the amount of fossil fuels stored at their facilities in order to increase the amount of renewable fuels that they can store. Industries argument that these amendments will prevent them from completing seismic upgrades also falls flat. There are other ways to complete the upgrades without building new temporary storage tanks. It's a total red herring for them to argue that these incredibly important amendments will prevent them from completing these necessary upgrades. Thank you.

Wheeler: Thank you. Does that complete public testimony Karla?

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

Wheeler: Colleagues do we want to bring staff up for additional questions? Let's get on with it. Please call the roll.

Moore-Love: I'm sorry Robert did you have a?

Robert Taylor, Chief Deputy City Attorney: Sorry, mayor. We would like you to please keep the record for written testimony open until 9:00 a.m. Monday, December 2.

Wheeler: Why?

Taylor: To allow staff to complete their work.

Wheeler: What's the work they need to complete. Could you come up and clarify that for us, please?

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Armstrong: Yes, mayor, if you will, one of the issues that we got dinged on by Luba is not fully considering and responding to all of the testimony. A number of testimonies has come in this afternoon into our website. So I guess to put us in a better defensive position we want that time to be able to review the testimony over the holiday and to respond to it on the record before you guys make a decision.

Wheeler: We have waited this long. A few more weeks and it gives you something to do over the holidays.

Taylor: Right.

Wheeler: How nice, commissioner Fritz did you have any comments.

Fritz: I was going to suggest since our wonderful constituency here that we could each make our comments now so you don't have to come back next time. You can if you want because it's really nice to see you.

Wheeler: That would be fine. Let's go down the row. Commissioner Eudaly.

Eudaly: Good afternoon, everybody. I don't always feel that Portland deserves its progressive green reputation, but I'm proud of our city and our city council today. Earlier today we passed an item that clears the way for mobility hub on the central east side for electric cars, bikes and scooters. We're also taking action in investing and improving our public transit system. These are just a couple of ways we can combat climate change through sustainable transportation options where we have given preference to single occupant gas powered vehicles in the past. This ordinance is the flip side of these actions. While we make sustainable options more viable, we must carefully regulate and restrict industries and practices that endanger our people and our planet. Thank you to the council of 2016 especially commissioner Fritz and Fish. Thank you to our office and city staff and attorneys who do the hard work of turning our values, priorities and aspirations into making strong, defensible policies. Most of all thank you to community activist, advocates and organizations. We wouldn't be here without you and we need you to keep pushing us to do better.

Fritz: Waiting to be called upon. We have to not vote aye at the end I have to remember that because we of course want to make good findings before doing our vote. Sometimes people think that a remand from the land use board of appeals is a bad thing. In this particular instance it means we get to vote on this ordinance and vote on it again. I think I feel really best that we have the opportunity because it is a really important thing that we did and that we are doing and we're going to do even more. So I appreciate my colleagues who didn't have that joyful experience in 2016 are getting to have it now. Thank you. I had forgotten about the paper stream as that's such a good thought. Oh, yes, really great. Thank you. I especially appreciate the young person from Ockley green who said that each of us needs to think about what more can we do. I'm not going to ask for a show of hands if you took transit or walked or biked to get here, but every single day in everything we do we need to think how can I do more. Commissioner Novick who you all remember was a strong supporter of this policy, texted me a few months ago to tell me about the energy use of clothes drier, tumble dryers and that's the most energy consumptive things in our homes. So I'm now hanging out my clothes to dry on a nice line that I have. I wouldn't have thought of that without the commissioner doing that. It's a very simple thing it takes a day to dry the clothes instead of an hour but if that can help stop getting millions of tons of carbon dioxide into the atmosphere if everybody in America did it why would we not want to do it? Again if people want to email me with further suggestions on things that could be done that I wouldn't necessarily have thought of, I am really interested and I think we all should be interested in what more can I do rather than as well as what more should the government be doing because it's clear that the cities are going to have to lead, our federal government is letting us all down badly. Each one of us can make a difference. Thank you so much each of you for being here.

Wheeler: Commissioner Hardesty.

Hardesty: I want to echo the thanks. I love when this chamber is filled from top to bottom. I love when this chamber is filled of people of all ages and all backgrounds. I love it especially when we're all here for a common cause. It's always good to have the other side but clearly there is no other side when we're talking about saving the planet, right? And the inhabitants of the planet. I take this issue very seriously because my role as managing three of the four first responder bureaus at the city of Portland means my folks are on the front line of this every single day. When a bad thing happens my folks will be the one that will show up no matter what. They will show up and they will do the best job they can possibly do. We have an obligation and responsibility to make sure that we are not putting public servants in harm's way, and that people who know that their products cause harm and will destroy communities have an obligation to remediate the harm that's done. So I as part of the regional disaster preparedness board talk about a reality check, recently at one of our meetings when there was like a 60-second video, it was a very short video that actually took pictures of all the tankers and just had a helicopter flying around and giving you a visual. When you see it from the air what you see is that these are very, very, very old tanks that you would think are probably leaking if they are not leaking today they leaked sometime in the past. So this action that we're going to take whenever this comes back to the city council is just one small piece of all the pieces that we have to do to address climate change. No one here wants to see the disaster happen because of the, even if it is working the way it is supposed to, disasters could happen and so we have an obligation to make sure that we are protecting the health and safety of not just public servants, but also the public in general. I appreciate each and every one of you for making the time to be here today and I would encourage you to not just show up and talk about this when it is on the agenda, but this is something we have to talk about every single day until we address the big issues that are on the table, thank you.

Wheeler: So, I don't have a well thought out speech so I'm going to wing it, bear with me. Number one, thank you for everybody who showed up today to testify. I thought it was fantastic testimony. This has really been a good day overall for the council in terms of very, very high-quality testimony. I learned a lot from everything that you said and I appreciate it. Number two, I was proud to publicly endorse support the ordinance when it came before the city council in 2016, but I did not have the opportunity to vote for it and so I'm glad I will have the opportunity to vote for it here, not today, but in the near future and I'll get to that in just a moment. Number three, the sense of urgency here is obvious and has been mentioned many times. Cities have to lead, the federal government, the trump administration they are now working against us in terms of our efforts to address climate change on the planet and I was very proud to have recently gone to the c-40 global mayors global summit in Copenhagen and it was an opportunity for me to interact with mayors and leaders and heads of state from all around the world and the overall message there was we are still in and we are more aggressive than we've ever been in terms of addressing our climate action goals and I have to say this as an envoy from the city of Portland, Portland is very much regarded as a global leader when it comes to the issue of the environment and climate action. I want to second what commissioner Eudaly said earlier about how proud she is about the actions this council has taken recently. I am, too and in effect, we are now backing up a whole host of very specific strategies that we can take as a city and you'll be learning more about that in the weeks and the months ahead and I'm very glad about that. On a cautionary note front. The whole issue of oil trains going through our community bothers me on many fronts. The first is the obvious one the environmental and public health and public safety front. Somebody alluded to the crash in Quebec some number of years ago. I wanted to reiterate that crash killed over four dozen people and burned half the town to the ground. Shortly thereafter the derailment of 1996

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fossil fuels cars in mossier, which could have been a environmental public health and a public safety catastrophe had things turned out just a little bit differently. As commissioner hardesty mentioned, and as other mentioned in their testimony, we had a oil train going through are the rail yards here in central city at a very low rate of speed the train still managed to hit an overpass and derail. If that had happened in a typical scenario with a more regular speed, who knows what the outcome could have been, but from my perspective it doesn't take a genius to figure out having oil trains going through natural habitats and then through densely populated neighborhoods is not a safe environmentally sound strategy nor is it in the best interest to the public health and if we are not here to protect those things, while else would we possibly be here? I am proud to have the opportunity to support this fossil fuel ordinance. I'm very glad, Robert is the best public sector legal counsel we can possibly have on these issues and we're right at every step. Let's dot the i's, lets cross the t's. Make sure that once we do this its done and its done we're not have to bring it back and do it again. We are done with oral testimony. The record for written testimony is going to remain open until 9:00 am on Monday, December 2nd, that means if anybody wants to submit an e-mail please submit an email, your testimony must be received by the council clerk by 9:00 am to be included in the official record at that time the record will be closed. This ordinance is continues to Wednesday, December 18th at 3:00 p.m. time certain, if you want to be here that's great you can be. When the council reconvenes there is the opportunity, should commissioners wish, to introduce amendments at that time. The council will determine whether additional public testimony is warranted for any proposed amendments and the council may, if it so chooses to reopen the record for the limited purpose of testimony on the amendments at that time. Is there any other business, colleagues? Then this hearing is continued to Wednesday, December 18th at 3:00 p.m. time certain, thank you everyone for showing up and we are adjourned.

At 3:35 p.m., Council recessed.

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.**

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Wheeler: This is the november 21st afternoon session of the Portland city council. Karla, please call the roll.

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

Wheeler: Still here, now we'll hear from legal counsel on the rules of order and decorum. Good afternoon.

Naomi Sheffield, Deputy City Attorney: Good afternoon. Welcome to the Portland city council. The city council represents all Portlanders and meets to do the city's business. Presiding officer preserving order and decorum during city council meetings 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 for resolutions or the first readings of ordinances, your testimony should address the matter being considered at the time, if it does not you might 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 and 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're in the audience and would like to show support for something feel free to do thumbs up. If you want to express you do not support something, please give a thumbs down. Please remain seated in the council chambers unless entering or exiting. If you are filming the proceedings do not use bright lights or disrupt the meeting. Disruptive conduct such as shouting or interrupting testimony or council deliberations will not be allowed. If there are disruptions a warning will be given that further disruption may result in the person being 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: We have one item carried over from yesterday, item 1065. Please read that again.

Item 1065.

Wheeler: Very good. We have Jeff Baer here from omf, who is going to lead our discussion. There were a couple of questions that council had.

Jeff Baer, Director, Bureau of Technology Services: Thank you, mayor, members of the council. I'm Jeff Baer the director of the bureau of technology services. I'm here to apologize for not being here yesterday. Also want to be able to address a number of comments I think or questions and concerns that came up during the council meeting yesterday. Couple of them I'll just start right off and is related to the cost increase over the years. I think what we had seen is back in four years ago our device count has increased dramatically. In 2015 for example we had a little over 4200 connected devices on the Verizon network. Today we have just nearly 6,100. It's increased by 45%, which is really driving the reason for those cost increases coming forward. It's based on the number of device accounts. You might think about the difference that we had in our environment back in 2015, we had almost 1300 flip phones as opposed to smart phones. It's really changed the environment over the past four years. Now we're predominantly all smart phone based.

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We have 1100 tablets or i-pads and we also have 1451 network devices like mobile data terminal that are in the police cars and fire apparatus in different vehicles. Is there any question about the cost increase?

Wheeler: Commissioner Hardesty.

Hardesty: No, that is really helpful. You're telling me we only went to smart phones three years ago?

Baer: No, we had smart phones in the environment, we just only had 1359 at that time.

Hardesty: Now we have totally done the conversion to smart phones or do we still have people with flip phones?

Baer: We still have 75 basic phones.

Hardesty: Kill those. [laughter]

Baer: We'll work on that.

Fritz: They should be dying very shortly.

Wheeler: I'd like to kill mine. Commissioner Fritz.

Fritz: I think the question commissioner hardesty posed yesterday which piqued my interest yesterday, is why aren't we going out for a request for proposals.

Baer: The answer is to that is we are using the state of Oregon cooperative agreement so the state along with several other states combined their usage and number of devices and did a competitive solicitation. They actually met the Oregon law related to competition. So we take advantage of the economy of scale to participate in those cooperative agreements. One thing that we can do and will be doing over the next coming year is doing a cost comparative analysis between the different carriers to get a sense of where are we within the market. How does verizon compare with at&t, how do we compare to t-mobile.

Wheeler: Commissioner Hardesty.

Hardesty: Thank you for that, commissioner Fritz. I have been seeing ads on tv about how at&t is the best thing for first responders. So not that I believe all the ads I see on tv, but I think it is important that we don't just assume that because we already have a relationship that it's the best one out there. So I appreciate -- I would assume at the end of this renewal that you will be doing a more thorough rfp process.

Baer: Yes, we would be look at a cost comparative analysis, so more of a market analysis. Does it make sense for us to do a stand-alone rfp with our 6,000 devices or does it make sense to go with the state's cooperative who may have 50,000 devices. The economy of scale, we would have to look at that. We want to cost comparative.

Hardesty: We may be better at negotiating than the state of Oregon. I wouldn't just assume because you're buying in bulk you're getting a better deal.

Baer: We will do that. Also point out we are pursuing a pilot program with a small subset group of police and fire personnel to look at and evaluate the at&t first net broadband program. So that could alter where we end up going on public safety.

Hardesty: I have one more question. I called you about this question which I just heard from i'm very appreciative that chief boone was in my office when I was having this conversation. She brought up the issue of toggling, which in layman's terms is slowing down the network in emergencies and I asked you and I would love you to answer it on the record for me, please.

Baer: Absolutely. In terms of the throttling back what has happened we have seen at different locations in the event of a major scale emergency the consumer band width on the cellular networks gets clogged. What can happen is there isn't any priority for first responders. So we have been working with verizon over the past I think six months or so and enabling what we call priority and preemption for first responders. That means those first responders who have that function enabled on the verizon network under our device management have priority and preemption for first responders so you're not in that commercial band width.

Wheeler: Commissioner Fritz.

Fritz: It would be helpful to add the council's phones in the event of a disaster we're going to need to be connected in as well.

Baer: We have pursued that with Verizon. Right now you have to be a first responder but I'm pushing for the entire disaster policy council to have that preemption.

Fritz: Yea, and the whole council cause the disaster policy council membership is, I have one last question. The previous contract was three years. Why are we going to five particularly if we're looking around to see if there's a better deal out there?

Baer: I missed that part. I'm sorry.

Fritz: The previous contract was for three years. Why are we going to five?

Baer: Generally we go for five year limitation. We could do something shorter. It would mean one of the things I wanted to point out is that logistically we have 6,000 units in there and everything from a laptop that might have a Verizon card into it, if we were to switch over to a new carrier that would be a huge effort for us to take that on but we can do something shorter. We are not tied, we don't have any exit penalties for something shorter with Verizon. That's strictly upon the state of Oregon contract.

Fritz: If we go for five years and you find out there's a better option we can get out in two or three?

Baer: Yes.

Fritz: Okay, thank you.

Wheeler: Any public testimony on this item? Seeing none, please call the roll.

Eudaly: Aye.

Fritz: Thank you for getting our questions answered. Aye.

Hardesty: Thank you, I appreciate the responsiveness of your reply. My only request to you would be hopefully you'll be able to add the city council since you haven't actually inked that contract yet as folks who would have access in an emergency. I vote aye.

Wheeler: Thank you very much. This has been a good conversation. Obviously anything doing with having to do with technology, technology is changing at a rapid clip, our needs as a city are changing at a rapid clip, so we'll have a lot of interest in contracts like this. You have done a great job answering our questions. We really appreciate it. Thank you. I vote aye. Ordinance is adopted. Next is 1083.

Item 1083.

Wheeler: Colleagues, as mayor I'm a strong advocate for this program and I have been for some time. It's a compassionate and I believe better way to respond to incidents involving the city's homelessness and those experiencing mental health crises in our community. My team has spent a considerable amount of time brainstorming and working on such programs behind the scenes on programs including this. I asked commissioner Hardesty to lead this effort in partnership with me for a very important reason. She is the commissioner in charge of Portland fire and rescue as well as the bureau of emergency communications. I'm the police commissioner and collectively we control the first response for the city of Portland. I know commissioner Hardesty is a passionate advocate for this innovative approach to helping people in crisis and therefore she's uniquely positioned to be in partnership with me. I appreciate all the work that she has done and the work her team has done to bring this to this point. I also want to thank the leadership in the community. This has really been a truly organic effort. There have been many in the community, Kaia Sand, Street Roots, other advocates who have worked hard to put this front and center in front of us. I really think this is another example of how our community comes together and we all work together to try to do right by the people in our community. Particularly those who are the most vulnerable. Today we'll hear the much anticipated report on the Portland street response. The proposed pilot is funded and based on the report and recommendations. We have a framework for moving this pilot forward. I'm also pleased to learn there will be

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detailed evaluations over the course of the pilot. In other words, the pilot may change as we think about how this unfolds and we look at the information, we look at the data, we get feedback from the community, we get feedback from first responders on what's working and what isn't working. This is our baseline opportunity to test it and change it where we need to do so. As mayor and police commissioner i'm excited to hear more about the report and learn about Portland street response so as a city we can continue to help the most in need. I want to reiterate again to make sure there's no confusion on the following point. Police officers and firefighters for years have had to carry the burden of responding to a majority of these calls. The Portland street response pilot is to find a way to redirect some of the nonemergency calls to other trained professionals so first responders who are doing lifesaving work in our community every single day can have more band width for other emergencies happening around the city. This is about the reenvisioning of how we care for people in crisis in Portland and it's about our evolving response to crises in our community. I look forward to the presentation and the discussion that will follow and I would like to turn this over to commissioner Hardesty for her remarks. Thank you commissioner Hardesty for your leadership. I appreciate it.

Hardesty: Thank you so much, mayor. Thank you to the entire city council for approving the budget note to help us think through what this project would look like. The Portland street response is a heart response to the harm that's happening on our streets. It's a response that says we can do better. I want to also appreciate that my team has worked tirelessly over the last seven months and kristin johnson is here somewhere and i'm embarrassing her again but she has led this effort phenomenally. I'm going to ask my colleagues if they would hold questions until the end because we have a lot of information to get to and i'm going to ask that we show the video. We have a Portland street response video to kick us off then we'll go to tom to report back to us. Thank you.

Video Played.

*****: Emergency response models are changing in cities all over the world and it's time to change the way Portland responds to emergencies stemming from mental health crises. Portland street response is the appropriate response to 911 calls describing a noncriminal mental health crisis in progress. It's a solution for growing problem we face as first responders in the city of Portland. The Portland street response pilot project will dispatch a two-person team to respond to calls determined noncriminal mental health crisis. The pilot project will involve various bureaus and partners throughout the city.

*****: When the Oregonian published the report that 52% of all arrest effected unhoused people while that number was a brutal number for us to grapple with it also felt very true to what we see every day in street roots. Unhoused people, their bodies are inscribed with the trauma of living on the streets. They are in a sense always contending with not being in the right space. What we hear is that people are just getting arrested again and again and again because they are out in public spaces, sometimes they are doing things if they were in a house it wouldn't be a problem. So they end up getting entangled with the legal system, and they are beaten down by all of it. It's almost like as a society we're pushing people further and further into poverty and homelessness. Folks that are in law enforcement, their mission is about enforcing the law. Their mission is about dealing with crimes. We need to make sure people who are homeless are encountering people whose mission is different, their mission of public health, there is making sure that everyone is thriving as much as humanly possible. A newspaper interviewed chief outlaw. The chief talked about how the police shouldn't be involved in a lot of these encounters that aren't part of what she described as a criminal nexus so we knew, okay, at the highest levels in Portland police we're hearing that the system isn't right.

*****: When we send law enforce officers to calls that don't necessarily require a law enforcement officer, we find that the calls are more complex because we recognize there's

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no crime committed, but there's a need for either a social service provider or resources are outside of our realm of influence that are required. Our officers don't necessarily clear the call without a resolution. They take the time that's needed to either resolve the call or get those folks the services that they need. Because of that that can take a longer than average time and so we have officers that are responding to calls, far more complex in nature, taking longer on the calls and as such our response times to other calls around the city increase. I think it's important that those who need services directly get the services that they need without having to jump through hoops or be passed along through various bureaucracies.

****: A lot of mentally ill are scared of police.

****: If there's not a crime being committed, maybe better response team could come out and get through the situations and find out what's really going on. If police need to be involved they can be called.

****: We do have a mental health crisis that is going beserk in this city.

****: Homeless population has a lack of trust for police response now. The goal is sending people who are equipped to deal with a variety of situations including mental illness so that we can get a response that's more tailored to what their needs are. In Eugene I rode along with Cahoots. They had a paramedic and social worker who responded together. The paramedic would help with wound care and things like that. The social worker did a fantastic job being able to calm people down, determine what their needs were, determine if it was appropriate to transport them, and if it was trying to figure out a best way of accomplishing that. Both built a fantastic rapport with the clients and were able to build trust very quickly and I know that many of the clients recognize Cahoots as part of their community.

****: Ultimately when we're talking about these quality of life crimes that folks are getting cited for, whether it's panhandling, trespassing because somebody is trying to find a place to sleep for the night, illegal camping, open container, their things that might in other communities result in police contact were able to provide a more compassionate, more appropriate response. That means they are less likely to get arrested and tossed in jail for the night. As that criminal record builds you have a hard time finding housing and harder time finding a job.

****: Today we have 24 hour van coverage in both Eugene and Springfield. We always have a minimum of two vans out at a time. Between our 911 and non-emergency lines we are responding to over 24,000 calls annually. Our community really embraces Cahoots because we are able to take care of situations that are not appropriate for police or EMS. A Cahoots type program could truly benefit Portland and be very successful because there are so many established programs and partner agencies to further serve the community.

****: I think the reason that there's some support across our first responder community for this is that there's an understanding that right now we're not able to send the right resource to the right kind of situation. These calls that relate to somebody who is struggling often don't require a police officer or fire engine to come but if we don't have anything else that's who has to come. It's as important as Portland Streets Response is in terms of ensuring we send the right first responder to the proposed situation. It won't address the housing crisis unless we're also expanding the available resources for the folks being engaged. Our ability to really capitalize on the benefits of that engagement depends on there being resources available and that means housing.

****: We in public safety know the system is broken. Criminalizing mental health and homelessness is not the solution. We have been building out a community health assessment team that looks at how it utilizes and tries to pair them with appropriate resources. Portland Fire supports street response because this fits into our overall vision. It is a response model that puts compassion front and center back into the service.

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****: A fully realized Portland street response program would be a great benefit to the entire community of Portland. It also will alleviate a significant portion of the call volume from traditional public safety resources and provide a more responsive resource for the community members who are reaching out to it.

****: In order to be successful, Portland street response needs to be big and it needs to be nimble. If the approach is onerous and rigid then that is not going to work for a number of people who are on the streets. What we want from Portland street response is to not make life harder. I will say emphatically that that is actually what our system does right now.

****: With your support Portland can join a small but growing list of cities around the world who are developing a new and effective response model for trauma informed care and mental health crisis. Together let's develop the appropriate response for our community members in need.

Video Ends

Tom Rhinehart, Chief Administrative Officer: Good afternoon, council, commissioner hardesty, mayor wheeler, commissioner Fritz, commissioner eudaly, my name is Tom Rhinehart. I'm proud to be chief administrative officer for the city and am excited to be with this group today, this very impressive panel that I don't usually get to sit with. My role is to give you an overview of the coordinated emergency response budget note to set the stage for the report that we are presenting today that is part of has budget note. Before I begin I would like everyone to introduce themselves, let's start at the end with Greg.

Greg Townley: I'm Greg Townley, associate professor of community psychologies at Portland state university, also the director of research for the homelessness research and action collaborative.

Kaia Sand: I'm Kaia Sand, I'm the executive director of street roots.

Daniel Outlaw, Chief, Portland Police Bureau: Good afternoon, I'm Daniel outlaw, Portland police chief.

Bob Cozzie, Director, Bureau of Emergency Communications: Good afternoon, I'm Bob Cozzie, director of emergency communications.

Sara Boone, Chief, Portland Fire and Rescue: Good afternoon, Sara Boone, Portland fire chief.

Tremaine Clayton, Portland Fire and Rescue: Good afternoon, Tremaine Clayton coordinator for Portland street response.

Rhinehart: Before I continue I want to thank everybody behind us who played a key role in this effort. We are glad you're here today. The budget note has three goals, reduce emergency response times by effectively triaging calls to more appropriate service providers. Identify resources for rapid street response. And finally make recommendations for efficiencies across the public safety system related to day-to-day business operations, technology, administration, communication and outreach. Chief boone will outline the pilot in a minute. Before that I want you to know the following about the entire budget note. My team and I followed this process very closely and believe we have a viable pilot that will teach us a lot about how to proceed as a city. For meetings of both Portland fire and rescue as well as community stakeholders I believe we should withhold judgment on what types of teams would be most effective and what type of public-private partnership we should pursue. In short we have a lot to learn before we propose a final approach and it should be driven by figuring out how to provide the best service for as many people as possible. It's important to put street response in the context the entirety of the work we have undertaken together in public safety. Today we will be focused on the great work being done to build this pilot model our ability to expand on any learning and build upon relies on our collective ability to successfully reimagine how we allocate resources as a public entity in the city of Portland. Under the direction of the mayor and commissioner

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hardesty and with the leadership of all public safety directors, the great group sitting at this table included, we have embarked upon our effort to find approximately \$7 million in savings over three years by approaching our four bureaus as a public safety system instead of a set of independent entities. We look forward to showing you the fruits of that effort in several months and in regular check-ins with all of you. With that I want to hand the microphone over to chief boone to talk through the pilot, the purpose we're here today to talk about. Chief boone.

Boone: Thank you, tom. Fire works in collaboration with the stakeholder group and put together an internal team to determine the right response model for the appropriate care. Before I go over the entire program in outline I would like to hand it off to Tremaine clayton, our ems specialist and community health coordinator that oversees and was part of the Portland street response. He's going to tell you about himself, his background, and how fire has evolved to create a community health assessment team and the nexus that plays with Portland street response.

Clayton: Thank you. Mayor, commissioners, so approximately two years ago I started working with our community health care assessment team in an effort to reduce our call volume to high utilizers or those that were not having their needs met with our current system. We talked about the cahoots program in the video and cahoots is just a service that's provided for one of many services provided by white bird clinic in eugene. About five years ago I began as a white bird volunteer as a medic where I had the direct privilege to work within that model of a two person medic crisis worker team to provide care that addresses physical and mental health needs of a person in distress. In that time I was able to see trauma informed care in action through holding space and following harm reduction standards and practices where I witnessed holistic healing of people in crisis. Portland street response is an opportunity to deliver that compassion and hope to those experiencing those crises where there's no immediate threat life, there is no crime being committed, no imminent fire hazard. Cahoots is a model we can use this as a guide for Portland street response that we can act as a continuum of care to meet the needs of our vulnerable populations here in the city of Portland. Thank you.

Boone: Thank you, Tremaine. I'm going to invite our principal management analyst to come up to talk about the data and why we chose station 11's fire management area.

Robin Burek, Portland Fire and Rescue: Good afternoon. I'm Robin Burek with Portland fire and rescue. As we looked at our call volume particularly within fire we can see in the last five years we have had an increase of 11% city-wide for the lents neighborhood. That's increased by 20%. So, the ones I wrote is outpacing the number of call responses we're responding to. When we looked at where to start this pilot the lents neighborhood makes up five square miles and it seemed reasonable for one team to start there. We also looked at police data. Seems like they are pretty busy there as well, so it was a good fit for a pilot.

Boone: Thank you, Robin. From one of the things I would like to reiterate, how Portland fire is able to come to the table and partner and be with every other stakeholder is because we built out a community health program before Portland street response and what we're looking at the pilot as far as what we gathered going down to eugene and cahoots. We have a referral model in place right now where we have two community health members and Tremaine clayton and Lisa Reslock. They work with high utilizers where our firefighters basically we capture data within the incident reporting system and we make referral to Tremaine and Lisa, who follow up with people where we're not meeting their needs. We work with Multnomah county health, we connect them with social services, health care services, so we are already networked and plugged in to a larger system. What we see with Portland street response is we are partnering with the nonprofits that we're already networking with and using our current platform as a response agency and

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partnering with them and bringing them on board for Portland street response where we become the first point of contact when it comes to addressing the appropriate need, the appropriate care with the right resource where we have the time versus an emergency response model. So we see this as a complement. The pilot program is going to start with one team. That's what we're recommending, and fire management -- the lents area, the first team will be an ems specialist Tremaine because he already understands the network, the resources, and to pair with a crisis worker was the recommendation. Mental health professional which we can put out an rfp. The pilot program would run Monday through Friday, 10:00 to 6:00 a.m. -- 10:00 a.m. To 6:00 p.m. Because we looked at our data as far as the types of calls that met the criteria. The highest peak hours are between this time frame. Logistically we can outfit a van basically an suv that we have in reserve. We can also obtain food, water, cold weather clothes, sharps containers. That's what the operation of fire has. We're not only are we able to support Portland street response in the pilot but we can logistically provide resource when it comes to vehicle fueling supply, replenishment, maintenance. The pilot program, Portland street response, will have a distinct logo and markings for Portland street response and we also know that the types of calls based on the scenarios are nonemergent low acuity or behavioral health which do not require lights and sirens. We are also when it comes to looking at training curriculum working with the white bird clinic so we're not reinventing the wheel but we would use them and contract them in order to create the most appropriate training required to build out the program. Then as far as the services, just reminding everyone this is a response model that complements 911 emergency response model. It's with the entire 911 system where for these low acuity nonemergency behavior health calls are informational only calls for fire and police that we don't need to send a police officer, a fire engine and four firefighters on a houseless and behavioral health low acuity call. This will free up our public safety when it comes to fire response and crime response so police and fire can respond on higher emergency calls. Thank you.

Wheeler: Thank you, chief.

Outlaw: Good afternoon. We are pleased to be a part of this pilot program. I want to acknowledge the staff that's participated. They are actually with me here. Commander krantz, captain lavelle, lieutenant headman, emily rashaan and stephani harrell all participated in the stakeholder group and have given a lot of hours and time as well as other officers who have worked in our sub work groups. I understand that commissioner hardesty's office also had the opportunity to sit down with officers in each precinct who had the opportunity to help inform policy as well. You also went on a ride-along with officer kinney. This program I won't reiterate what I was already saying in the video but there are many benefits for us specifically as it relates to allowing us to redirect our resources to the calls that really truly need a law enforcement officer there. Then I think this also allows us to decrease the likelihood of the unintended consequence that we're talking about and discussing today in criminalizing those who have not committed a crime. We look forward to participation in the pilot program. Thank you.

Wheeler: Thanks, chief. Appreciate it, thanks to your whole team.

Cozzie: Well, I would like to walk us through a call. I'm bob Cozzie. Director of boec. When we talk about different types of calls for service our 911 center answers 911 as well as nonemergent calls. We fully expect these types of calls that would be referred to Portland street response would come in on either/or. When the call taker answers 911 or that nonemergency call they triage whatever is happening. They assign a police or fire type code depending on the circumstances. Based on the nature of the call. Typical call would be welfare check, potentially a disturbance without weapons. Something that isn't violent but something that would be appropriate to send an alternate resource. If the call is within the fire management area, fma11 as we call it, the dispatcher will dispatch Portland street

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response, that unit, and relay the call information. If they are available for a call, the dispatcher will send that information via the mobile data terminal on their computer and they will be able to pull that call up and respond. If not available, and there's no other unit available, theoretically they could let that call stack up and respond later. Just depends on the circumstances in that moment. If they can't respond in a timely manner the dispatcher will send the next available best available responder to that particular call. When the Portland street response unit clears that call for service, they will clear it via that computer terminal and they will then change the type code from what it was entered as from the call taker to psr, Portland street response, so we're able to track the data. Some of the recommended scenarios that we're looking at dispatching on would be a person outside needing a welfare check for example. Those can be described as someone who is down, unchecked, the caller doesn't know their condition. Perhaps they are sleeping but we don't know. We can certainly send a unit to check their welfare. A person who is behaving erratically, perhaps under the influence of drugs or alcohol. A person who is outside just yelling but are not really a threatening individual. A person outside who needs a referral service and they don't have access to a telephone. Or a person outside needing face to face mental health check when they can't be transferred themselves to the Multnomah county crisis line. Also potentially a corresponds or mutual aid request from a police officer who is already on scene with an individual and realizes that it's not appropriate for them to handle, they can call for the Portland street response unit. Also the Portland street response unit can be self-dispatched if they are not on a call for service and they happen upon a circumstance that fits the criteria, they can let us know and directly report.

Wheeler: Can I ask you a couple of questions, bob? You gave us a whole list of responses that would be obviously really good for the street response and maybe not the best and highest use of our police officers. Walk us a little more towards the margin, walk us towards a case that's harder to make that call. How will you make the call, for example, if somebody is in crisis and they are potentially but not necessarily acting out. They are just right on the cusp of street response versus police response. What sort of protocols are you going to design that will help you make a clear decision and if you turn out to be wrong in your original assignment what's the process for backing that up or increasing if necessary the police response?

Cozzie: We're developing the training right now for our dispatchers. It's going to take us about 45 days or so to get everyone through the training but some of the things that we're looking at is whether or not there's a suspicion of violent behavior or access to weapons. Those are cut and dried. We're not going to send Portland street response on that. If they are behaving violently, physically combative, threatening, assulting we will send police to those calls. It's that middle ground the pilot is designed to test out. When I had the opportunity to ride with cahoots I actually sat in the dispatch center and watched the dispatch operation as they were sending units out. In some cases cahoots would go and they would back away and ask for police. Occasionally a police officer would respond and that's when they would say this really isn't appropriate. It's those middle areas that we need to track the data so that we can further oh refine what our call answering protocol is going to be.

Wheeler: Thank you. I'm looking forward to seeing where that actually lands. Somebody raised a potential concern with me at some point, I don't remember who it was or where the concern came from that as the public becomes more aware that an alternative response that's not a police response necessarily becomes available to the community, what could actually happen is an increase in calls to boec as opposed to a decrease in calls to boec. Have you thought about that?

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Cozzie: This pilot and Portland street response model is not going to reduce our call volume by any stretch. It provides an added resource for our dispatchers to send, more appropriate resource.

Wheeler: I appreciate it.

Rhinehart: We have two more speakers and we hope and expect there will be lots of questions. If you could hold them until we're finished.

Wheeler: Happy to do it, tom.

Sand: Good afternoon, commissioners, mayor. I'm Kaia Sand, I'm executive director the street roots. At street roots this is a really big day, I just came from a pizza party because vendors are celebrating the fact we got this far. They are so involved the whole way from really dreaming up the plan, talking to us about these ideas for a long time, being involved in the campaign, being involved in surveys of other unhoused people and even judging a logo contest. A number of them are here. Probably in the balcony because the pizza party went long. Some of our staff are here too. So just as a little background on why street roots is involved in something like this for the past 20 years street roots has really been working on issues around criminalization and poverty because we see every day how the legal system can make poverty more difficult, and this perspective is animated, I worked from the earliest days through our newspaper and our reporting but also because all of us at street roots spend so much time together and we have about 170 vendors who about half of whom are unhoused. We all share the same coffee pot so we share a lot of stories, we share a lot of awareness of each other's lives. So we see every day a man digging through the trash in a way that attracts a lot of attention only it only takes – it takes a long conversation to realize how he's in distress because he can't see his daughter. We see people that are acting out in ways that are disturbing and they have back pain, they have sleep deprivation, they have experienced extreme violence. A lot of this often is about having the time to hear the story beneath the story and that is something we really saw through the cahoots model, very briefly when I did my ride-along, I know so many folks in the room did, I saw a situation in eugene where a man was causing a lot of commotion outside of a store and after cahoots arrived and was able to attend to a wound, there was a physical pain that he was experiencing, but also attend to his distress, which was actually that he was missing a cancer treatment appointment and couldn't get there because he didn't have transportation. They were able to provide that. That's the kind of thing that we see that there's stories beneath stories and often it takes that kind of patience and listening to be able to find out what they are. So I would say at street roots everyone has a fire inside of them to make this happen. We are determined I think the whole community is determined, there's so much will behind you and we have a lot of pride in the fact that we're sitting here today and that you've taken us this far. I know at street roots I hear a lot from the community, from business owners, from faith community folks, from grass roots organizers who all basically say we don't have good options. There's a lot of people who want good options. I had a staff member today who said can we have Portland street response already? Because a woman came into our space in distress and she was concerned that once she went back out things would get worse. So just briefly, I had the privileges of serving on the community engagement work group co-chairing it with Matt McNally, who works on commissioner hardesty's staff. We did a number of things. We really put forward the idea that we wanted people who are unhoused to be a part of the development of this pilot. We wanted to figure out how that could be possible. So we set up a number of listening sessions first was the idea that we all needed to go to where people who are unhoused are at. That we too often expect them to come into spaces that they are not usually coming into. So we went to sisters of the road, we went to join, to central city concern, yellow brick road and did listening sessions and there were a number of findings from these listening sessions, something such as just very much across the

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board sentiment there's a lot of encounters that people hope the police could be kept out of that are the noncriminal matters. There's folks talked about how sometimes to the outside there are situations that can look unsafe but they actually are safe in the sense there might be a street family providing safety to each other and it's only by getting pulled apart that that is when more distress takes place. So how can the Portland street response come to understand more of what they are seeing. People talked about not wanting to be separated from their belongings because of course they could lose everything. We hear about people losing parents' ashes, about family photos, id's, birth certificates. So that's what is at stake when people are concerned about their belongings. People don't want to be separated from pets. I know of a man who only two weeks ago went to the e.r. Once he was convinced that he would not be separated from his dog because he would rather lose his own life than have his dog be in distress. We heard from people that they need a support system sometimes. Other folks that can be with them that understand them. We heard from folks that people often will need transit and this is something deeply important, a stitching things together. We heard about mental health issues, folks say again and again wanting that understanding, patience with mental health. We heard from members of transgender community how important it is to be treated well and to be understood. So the next phase of the community outreach was to conduct a survey and that was done with Portland state's homelessness research action collaborative who's following up on the evaluation side. We conducted that with right to survive, sisters of the road, street roots, yellow brick road. Street roots vendors went out with Portland students and other community members, each survey team had at least one person that experienced homelessness or currently experiences homelessness. They went out and surveyed people on trails, on squats, camps and shelters to find out what people wanted in Portland street response. It was incredibly helpful. In two days plus a little bit they surveyed 184 people. Some of the surveys took place at night in people's camps, situations I never would have had access to. Here are the eight findings in the packet that you have, the whole report is in there. Number one, Portland street response needs to be separate from the police. There's a concern number two that Portland street response not be armed or able to run warrant checks. Number three, Portland street response prioritizes training in mental health, deescalation, training, and listening so listening again that story beneath the story of the crisis. Number 4, uniforms should be recognizable and distinct from other first responders. Five, referrals and transportation services would help teams be effective. Number six, Portland street response needs to be able to connect with places where people can go. This really gets at what marc jolin was talking about in the video. This is a first responder system only solving situations that deal with first responder crises and it doesn't do anything to provide housing or places for people to go. I think it's always really important to emphasize that portion too. Number 7, a lot of people unhoused just wanted to educate other people in the community about how to use emergency calls. A lot of folks say they feel like people dial 911 too easily. Number eight, treat people with compassion and dignity. I'm really proud that all those recommendations made it into the recommendations you have before you. I think this has been a thoughtful, intentional process, and I know that all the folks that were involved in the surveying are eagerly watching this whole process very aware of these findings or recommendations and very aware that they are honored. Just finally we also helped hold a logo contest and one of the things that we were able to do with the logo contest was have boxes, depository boxes at libraries as well as street roots and commissioner hardesty's office so they were in a number of places where people unhoused could enter the contest and again like the survey experience we were really pleased to have this be a situation where unhoused folks were sitting alongside housed folks to do the judging. We had three street roots vendors with staff from mayor wheeler's office and your office, commissioner hardesty. I think one

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of the things that was really powerful about that process was the fact that people in the community were able to try to draw what I think of as a civic imagination around this, what do we want to be in our city? How do we think that courageously and with that kind of humanity and heart? So we heard from people through that contest. One person really drew a lot about mental health and supporting LGBTQ people and just this kind of compassionate illustration. Another person made a beautiful drawing then said she dedicated it to her mother who in 2008 was homeless and died on our streets. I think I'll end it there because that is something that underlies all of this, the fact that we do know too many people die on our streets and the more we can provide people hope and we can reduce the amount of trauma they experience the more we can contribute to a healthier place for unhoused people. Thank you very much.

Wheeler: Thank you.

Townley: Thanks, Kaia. I'm Greg Townley from Portland state university. Thank you Portland city council for inviting me to speak and your commitment to make sure this program is informed by research and evaluation. This is fundamentally important to the success of Portland street response. We need to understand how it's operating and what changes and adaptations are necessary along the way to make sure it's working for unhoused individuals, for the Portland response team and for the community. Commissioner Hardesty expressed dedication to making sure the pilot was evaluated and informed by data when I met her at the listening sessions in early July. Kaia Sand invited us to codevelop a survey methodology and report highlighting the critical perspectives of unhoused individuals. Matt McNally conducted an online survey of businesses and neighborhood associations so that their input could inform the pilot and many across the Portland street response work groups collected vital information from a variety of stakeholders that was instrumental in designing the pilot program. While the formal evaluation of the program will begin when the program goes live in the spring it's important to recognize the evaluation has informed the development from day one. This gives us a great deal of confidence that the proposed pilot is not only what key stakeholders want and need but what will be successful. The homeless research in action collaborative will work closely with Robin Burek from Portland fire and rescue, commissioner Hardesty's office and many others throughout the pilot program to conduct an ongoing evaluation. We are finalizing our primary performance measures and we welcome feedback and recommendations. At this point I'll bring up the recommendations. I have something I would like to hand out and enter into the record on our performance measures. First reduction in number of nonwarrant arrests that result in a 911 response. Second reduction in number of individuals transported to the emergency department for low acuity medical related issues that could be addressed in pre-hospital care settings. Third reductions in behavioral health issue traditionally responded to by police and fire. We are also considering outcomes pertaining to cost and time saved including reductions in the behavioral health care costs associated with emergency department transfers following a 911 response, reduction in police and fire personnel costs associated with lower acuity medical and behavioral calls and the reduction in the amount of time police and fire spend responding to lower acuity behavior and medical calls reflected in ftes. For each of these we have key performance measures and operational metrics. We will determine percent reduction targets based on baseline data we will pull prior to start of the pilot. After the pilot begins we will receive and analyze data monthly examining trends and outcomes and making recommendations for changes that need to be made along the way. In addition to these quantitative outcomes it's also vital that we assess the experiences of unhoused individuals who are affected by Portland street response. At this point we can go back to the video. Thank you. We will work with street roots vendors to conduct two rounds of surveys similar to the ones we did to inform the design the pilot asking if they have had

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contact with Portland street response, what the experience was like, and how it could be improved. We'll also be working with Tremaine and the Portland street response crisis worker to collect ongoing data about how the program is operating, lessons learned from experience in the field and additional resources or support to do their job effectively. We're considering ways to assess how Portland street response may ease the load and enhance the job satisfaction and wellness of police and fire staff at the east precinct and station 11 which covers the lents area. These may be qualitative interviews or focus groups or pre and post surveys of burn out and job satisfaction. Finally we will conduct follow-up survey of business, organizations and neighborhood associations in the lents neighborhood to gain feedback about how the experience with the Portland street response pilot and any recommendations they have for improvement. We will produce a formal progress report reflecting all the quantitative and qualitative data points after the pilot has been on the ground for six months and we'll present this to council. We will then produce a year end pilot review summarizing all of the outcomes and provide formal recommendations for modifying the program and scaling up city-wide. Throughout the process we will continue working as we began, in close collaboration with key stakeholders representing the needs and experiences of those who will be most impacted by Portland street response. The homeless research in action collaborative is honored to be part of this innovative community centered pilot program and we thank you for the opportunity.

Rinehart: Council, we did our best. Now it's your turn to ask questions. If we can't answer them we have a lot of talented people behind us we can call up.

Wheeler: I don't think we have had this many high level people at this table be so succinct and to the point, that's very impressive. Questions, comments, commissioner Hardesty.

Hardesty: I'm happy to wait.

Wheeler: Commissioner eudaly.

Eudaly: Well, you've answered many of my questions, which is the benefit of waiting to the end of the presentation. Which I think maybe should just be a rule from now on. I do have a couple questions. I appreciate the fact this isn't going to reduce call volume for your staff, which you know is something that I'm particularly interested in. I'm wondering what the plan is for public education because while everyone in this room obviously knows about Portland street response, how are we going for get the word out to the general public who may have already hesitant to call 911 when they see someone in crisis possibly in need of assistance and might be more likely to call if they knew there's an alternative.

Cozzie: We have the pio that works with bureau of emergency communications and bureau of emergency management Dan has been on one of the subcommittees working on specifically that, what kind of messaging we'll be sending out. In a pilot, we want to be very cautious not to set expectations too high so we won't necessarily publicize initially but assuming that the pilot is a success, that's where we really want to go full bore and educate the public on not only on the fact that Portland street response exists and the purpose of it, but also on the appropriate use of 911, when to call 911, when to call nonemergency number or even provide alternate numbers for people to call.

Eudaly: Would you anticipate calls for Portland street response to always go to 911 or would we possibly want to offer another avenue?

Cozzie: That's a good question. Right now the model is that the calls will come through to boec. That can be through the nonemergency number as well as 911. We haven't had a discussion at this point of having an alternate contact number specifically for Portland street response.

Eudaly: Can people self-refer?

Cozzie: I'm sorry?

Eudaly: Can individuals experiencing a crisis refer themselves?

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Cozzie: Yeah. I imagine that that will happen down the road. I know that does happen in Eugene and Springfield.

Eudaly: I'm sorry if someone already covered this I didn't hear it. What will the team be doing in between calls?

Cozzie: I personally believe they are going to be very busy. They are going to be going from call to call. The model is if they are driving around and their not on a call for service they are probably going to find something that they can self-dispatch on.

Eudaly: Then calls outside service hours will be routed to fire or police like they are now?

Cozzie: Yeah. That's correct.

Eudaly: Thank you.

Wheeler: Commissioner Fritz.

Fritz: Thank you for your presentation, thank you commissioner Hardesty and all your staff, thank you for your great partnership at Street Roots and Portland State. Why will these -- this team be based at station 1 instead of 11?

Hardesty: They will be at 11 instead of 1.

Fritz: I thought it said --

Wheeler: They are at 11.

Boone: Our data analysts when we looked at our response and call volume we offered multiple locations based on the population and recommendation for station downtown in the core but that's where all the resources are. We also know that we have a vulnerable population and houseless in Lents, East County, so we wanted to see within the pilot program what the turn-around would be and how effective the pilot would be when you're further removed from resources.

Fritz: I understand why the fire management area 11 has been chosen but I thought the report said staff would be based in station 1.

Eudaly: It does say that, maybe it's just a typo though.

Wheeler: It's a typo.

Hardesty: They will be in 11.

Fritz: When they show up to work in the morning they'll be at station 11.

Boone: When they show up to work they will be at station 11. They report to the main headquarters.

Fritz: Why are they doing that?

Clayton: My office is at station 1. All of our admin duties that would not be covered in the mobile -- in the field would be conducted when we return back to the admin station, at station 1. That's my current office. This is a pilot through the 40 hour work week schedule, so that's really what it is. Once we have established that the pilot is successful and we look to expand we would probably consider where we would be housing those vans or vehicles to respond 24/7. Right now we're not doing 24/7 response because we're matching the current work schedule I have now.

Fritz: It seems like that's a lot of travel time to keep staffing downtown then traveling to Lents and back.

Boone: This is not set in stone. We also have location at 122nd in Sandy, our training center, that if this mobile team needs to do administrative stuff they can use a closer location.

Fritz: Thank you. I appreciate you giving actual data from the survey that the Street Roots folks worked on. It shows that mental health professionals are the number one desired people to respond, which as a retired psychiatrist I certainly agree with that. It has emergency medical technicians also one of the top four but has firefighters as the bottom one. Then it also talks about what should the uniform be. I know that maybe you haven't got that far down the line but how are we going to if they are coming in a red fire truck with

sirens even if they don't use them how will we make it clear that this is a medical person, not a firefighter?

Sand: I'll jump in and just say that I think that data did show that a firefighter showing up in firefighter uniform with a fire truck is not the right response but in terms of Portland fire and rescue using an infrastructure to have people show up as a medic and crisis worker to me that does feel very different. In terms of the survey making clear that people do need to have a very different uniform. That's very important.

Fritz: That will be figured out as you actually implement what that looks like. I noticed in the video with the cahoots folks they looked very much dressed down. Thank you. My final question is what's the process for completing the pilot, getting information back to council, making decisions as to what the next steps are?

Rinehart: We are as Greg mentioned planning to report to council six months from when the unit is actually operational, fma-11. Set an evaluation calendar internally and with council after that but we're going to wait six months to where we actually have good data. I believe the one year is a whole other checkpoint. Formal part is every six months with council. We discussed internally we'll need a monthly with all the partners including community stakeholders as well because as you know from today and what I said there's going to be a lot of learning that's going on. We want the flexibility and I think where -- admonishing us not to be rigid. We want to be flexible and make changes as we go along.

Fritz: The \$500,000 we allocated in the last budget you're presumably not going to be spending that much in the next six months so that will carry over to complete the pilot and you would come back in 2021, 21/22 with funding requests.

Hardesty: I was just going to say we haven't thought about what the next funding request will be so I don't want us to be on the record saying we aren't coming back until 2021. We may come back next year as part of the budget process to talk about expanding the pilot out and so we just haven't that decision yet.

Fritz: That's my point. It will be hardly started by the time we're doing the budget. I want to make sure we have information before we decide what the next steps are.

Hardesty: As do I.

Wheeler: I just have one more question and a comment. I'll throw this out for anybody. In talking to the people at cahoots one of the problems that they continue to run into even to this day is the lack of other community support mechanisms. In other words if they have somebody and need to get them into housing, housing is not necessarily there, if they need to get them into mental health services, the mental health capacity isn't necessarily there. If they have somebody ready for addiction treatment, there's not necessarily a treatment bed available. What is the current status and what is the plan with regard to working with all of our other nonprofit and agency partners to figure out the seamless transition into those services?

Hardesty: I can tell you, mayor, next month we're going to meet with the healthcare providers and mental health providers as a collective group to basically inventory what services are out there. If you talk to folks today, most people just don't know who does what and how connect to them. There's also the Multnomah county 24 hour day mental health number that most people don't know. The 503-944-4444 number, I think. But again, we have a lot of resources that people just don't know how to connect to. So I don't know the answer to that question today but as we continue to build the pilot we will have more information about how to connect people to services that exist. I also want to be very clear in no way do we want to recreate the wheel. We don't anticipate the Portland street response team developing mental health services or housing services or anything that's outside of our field of influence. The goal is to connect people to services that exist and do the best we can to keep people out of harm's way until we can do something better.

Wheeler: That's well received, commissioner, and I appreciate that. I see some opportunities here I think for collaboration with some existing platforms that are out there. I had a chance to coincidentally meet with Steve Allen from Oregon State Health Authority today. Much of our conversation centered around the needs in communities for addiction treatment, mental health and the crisis intervention and how we can better collaborate with the state's efforts, mention was made to the Governor's task force on mental health and some of the strategies, they will be bringing forward and we should be part of that process. Sharon Meieran at Multnomah County is doing her baseline assessment of where we are with mental health services and crisis services in the community. In a really interesting way all the pieces are starting to come together and this is one more node or leveraging point for all of us.

Rinehart: Mayor, one comment. I applaud the fire bureau for already thinking about coordinated care organizations and other potential partnerships. I was in one meeting in which it was clear there's been a lot of thought around the data that we collect and the case we put together is critical for next conversations. We know a lot anecdotally but we do not enough to actually approach potential partners with partnerships. So we are going to be very aware of that list and who we should be talking to next and I think that a lot of good thinking is already going on around that.

Wheeler: My point is those tables are set and we should join those rather than trying to reconvene additional tables.

Rinehart: Agreed.

Wheeler: Unless it's necessary and in some cases it might be absolutely necessary. Then just a comment. As I'm listening to the testimony I want to make sure that we give due accolades to our existing first responders. Both in the fire bureau and in the police bureau. I want to be very clear that there are people who are trained and highly effective in crisis intervention and crisis management currently in the police bureau and in the fire bureau. Quick story. Just earlier this week the police bureau and the fire bureau intervened in a very serious crisis intervention situation, and it's one that probably would not have gone to a street response because there was as I understand it a weapon involved, but the individual was in a heightened state of crisis, the individual was well known to people in the community, and they did in my opinion a masterful job of deescalating that situation and resolving that situation. So I don't want any of our firefighters or any of our police officers who are listening to this to think in any way this is a judgment on them. This is not about personnel. This is about refining a system so it better responds to the needs of the community. I just wanted to make that point crystal clear. Commissioner Hardesty. You want to wrap us up? I believe since we have to adjourn for 15 minutes until our next item, which is time certain --

Rinehart: Can I make one point? I want to reiterate people that didn't see we have evaluation cards, asked questions circulating in the chambers. Please if you don't have one and you want to add a question or make a comment please grab it. We want to reiterate we'll be learning in this process and we value the engagement.

Wheeler: Very good. I'll entertain a motion to accept the report.

Hardesty: So moved.

Eudaly: Second.

Wheeler: We have a motion from commissioner Hardesty, a second from commissioner Eudaly, any further discussion? Call the roll.

Eudaly: Well, look at what can happen when we bring everyone together around the same table. This is amazing. Oh, my gosh, did I get twinkle fingers? [laughter]

Wheeler: I made sure that the video feed was not on. [laughter]

Eudaly: Okay. This program is desperately needed and has been for decades. The federal government is chronically underfunding affordable housing, mental health care and

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addiction services. And the state of Oregon in particular is failing individuals experiencing mental health and addiction issues with some of the lowest levels of service in the nation. Therefore, the city of Portland is also struggling. We are in year 10 of the housing crisis and while it's largely driven by unaffordability of housing, when it comes to those experiencing chronic homelessness it's also a mental health and addiction crisis. This is a pilot program but it's already a proven response, and I have the utmost confidence that a year from now we'll be back here talking about expanding it and how we're going to find the funding. I love that this was a multi bureau effort and that dozen of city staff and community members were involved in developing the program. I also love that we're leveraging existing resources by partnering with outside agencies already providing some of the services and supports we need to connect individuals we're serving with. Civic life was happy to assist this with a \$15,000 grant for community engagement. Thank you, street roots, for your excellent implementation of that. I see a few more opportunities to partner with and leverage resources both inside the city or at the city level and in the community. One commissioner hardesty already alluded to I think the focus on the lents neighborhood presents us with a really great opportunity to really zero in on that community and map the existing and potential resources in lents neighborhood. There are schools, churches, hospitals and other organizations and institutions that may be willing to partner with us and perhaps street response can liase between the city and the community although we know they are going to be real busy serving individuals to provide better access to basic needs like hygiene, laundry facilities and other amenities that we know these individuals are going to need. Second, my office and pbot has been working with hygiene for all and siting and permitting for a hospitality hub site that includes amenities such as first aid, toilets, wash station, clothing and bedding exchange and garbage and recycling. I'm thinking maybe we need a hospitality hub in lents and maybe that becomes a place where individuals who want to self-refer have a place to go. Third, i'm very happy to share this, I have just learned today that this is moving forward, something I have been asking for since I got here, which is almost three years ago, hard to believe, civic life's mental health specialist Tyasha McCool riley is currently conducting a beta test of mental health first aid training with city staff and hopefully early next year we're going to be able to offer that city-wide and then eventually offer it broadly to community members. So we have a network of community members across the entire city who are more prepared to respond to people in crisis and who know what to do. So I want to offer the support of my office and civic life if there's any interest in connecting with those existing resources and building capacity in our communities and particularly the lents neighborhood. Being homeless is not a crime. Having a mental illness is not a crime. Having an addiction is not a crime. I'm happy that we are going to be decriminalizing those noncrimes and giving people a better chance to recover and succeed. I'm happy to vote aye.

Fritz: Thank you all for your work. I think the mayor said it well when he said things are finally starting to come together. There's good things happening at the state with mental health care, there's excellent things at the county with commissioner Dr. Sheron meieran and I hope that we will continue to partner with her as I know you've been collaborating so far. We need to put together a system that has fewer gaps, let's also be closer this is not the be all end all. This is a pilot project. Hopefully it will be successful although there will be challenges. Lents is a multi-cultural neighborhood with many different issues, transportation being one of them. It's going to actually give us all the opportunity to look at some of the things that have come up over many years. How do you transport people in ways that are not as expensive as an ambulance or traumatic as a police car to services people need. How do we get reimbursement for the medical care the fire bureau has been giving for many years. For Portland state partners that's going to be particularly important to document, just how many of these responses provide medical care. Then we hopefully

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will be able to prove to the state and coordinated care organizations you need to pay us for this because you would be paying an ambulance is you sent an ambulance, so why would we not expect some reimbursement and why would it always be general fund providing these medical services. I'm really optimistic that we are -- this does move the ball forward and particularly because it's been such great partnership with the community. I honor the work commissioner Hardesty and street roots has done. Thank you for welcoming Yesenia carrillo on my staff to the process and to the community engagement process. I'm hopeful. Aye.

Hardesty: Thank you, colleagues, for those very insightful remarks. Thank the panel. Each of you have given so much and then so open to doing things a bit differently, seeing things a bit differently and just challenging ourselves to think about who would be the right first responder for the right incident at the right time. I'm so proud of the work that has been done up to this point. But this is when it gets hard, right? We're ready for it. We are the right people to do this implementation. There are really so many people that should be thanked but I want to give a sense for folks in the audience. There have been over 50 stakeholders that have met over the last seven months. Kristin -- i'm sorry, kristin johnson in my office is here somewhere. She's been leading this effort in just a fabulous way, really open, making sure we were getting all perspectives considered as we started developing this program. As of this morning there were over 750 endorsements of the Portland street response based on our facebook posting, and they are still coming in every single day. There are so, so, so many people that I need to thank for this, most of them you saw, however, on video. But one group that I do want to call out specifically to say thank you to is Portland police bureau. People who know me are probably falling out of their chair at the moment. But let me explain why. Portland police bureau could have obstructed this process. Portland police bureau could have said, oh, no, no, no, we got this. Everything is fine. What I found from chief outlaw and from the officers who participated in this work group was an openness to do something different. We have not changed our first responder system since the late 1800s and a big change we made then was going from a volunteer force to a paid force. This is revolutionary and it could not happen without each and every one of the people who participated in this effort. Portland police has been supportive, they have lent their experience and expertise to help us develop the most robust pilot project we could imagine. We held listening sessions talking to officers who work on the street every day, and they were clear. We don't want to take these calls. This is not the right use of our time. Mayor wheeler, you placed a lot of confidence in me when you delegated the responsibility of moving this project forward, and I want to thank you publicly for that confidence that you placed in me, I hope that today shows that though we can disagree on individual issues --

Wheeler: No, we can't. [laughter]

Hardesty: And do. [laughter] we can come together to make sure that people in our community are taken care of and that when we say safety we're talking safety for everyone in our community. I want to thank you for that faith and that support, and I want to thank each and every one of you. This is not the end. This is the very beginning. In 2020 we will roll out this program and it's my hope that we end up with two pilots rather than one, but based on the resources we have we will see. The bottom line is lents is the perfect place to roll out this pilot and I should say that every community we talked to wanted the pilot. Every single one wanted it and they wanted it yesterday. But lents is the ideal community because it's five miles long, there are minimal community resources available in lents. And as was stated earlier, call volume has increased 20% and fire management area 11. I know that that is a dedicated firehouse there, and they care passionately about that community. So we have laid out a vision for a pilot. I'm so grateful that we will have Portland state university with us every step of the way. Nothing bugs me more than when

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people do pilots they evaluate at the end and you spend six months waiting to find out whether it worked or not, right? I'm thrilled we'll be measuring every step of the way. This is a community effort. I hope we have many more opportunities to not talk about individual bureaus but talk about our vision as a city and our vision about what's possible for the people of Portland. I thank each and every one of you and I vote aye.

Wheeler: I want to return the kindness that you extended, commissioner Hardesty, and make no mistake about it, when we do have differences when we do have differences of opinion it's always fun.

Hardesty: Yes.

Wheeler: It's always fun. And there are days like when I feel like we're an old married couple and that we do argue a lot, but we enjoy it and that's what democracy is all about. I want to say this on this issue there's no daylight between us in terms of the commitment we have to this program being successful and the values behind this program. And I have never questioned the decision that I made to put you in charge of the bureaus that I put you in charge of. And I have never questioned and never will question your level of commitment to this program. I think you're doing a fantastic job. And I personally appreciate it. I also want to acknowledge the bureau directors. I say this behind closed doors and I don't say it often in public and maybe I should. I think there's a moment in time here where we not only have the right city council, but we have the right bureau leadership. We have people who are working together, who are collaborative who can collaborate as a management team, who can trouble-shoot across bureau boundaries to get stuff done. That the public wants to see us get done. And this is just another of many examples that have been brought forth in front of the city council just in recent days. And so I want to acknowledge and thank all of you. Because every time you come to the table and we ask you to work with us, as partners on a collaborative effort, I know we're putting more on your plates. And I already know your plates are really full. And so I appreciate the level of passion, commitment, and personal sacrifice that you have endured as this process unfolds. I'm just going to say this because my colleagues have said it all before. I am very supportive of this. I am excited about where it will lead. I know that there will be bumps in the road ahead. I know there will be. And we will have to resolve those bumps in the road ahead. And I also acknowledge this is not a panacea for the homeless crisis that we are seeing on our streets. And I want to always remind ourselves that this is yet one more evolution, one more important step in providing services that we need to provide in the community but it is not in and of itself a sufficient action. And I think all of us here know that. I want to say on the record I vote aye. The report is accepted. We will keep pushing forward. Why don't we take a few-minute break here. I believe there's a reception you wanted to invite us to. That is correct?

Hardesty: That is correct. We will be meeting in the atrium downstairs to celebrate this victory.

Wheeler: Why don't we do this. Because I need to take a call anyway. Can we take a 10-minute break? And then I want to get back to the item of the new Portlanders policy commission, which is very important issue and I want to thank those of you who are here for that discussion. We are in recess.

Hardesty: Before you gavel out, I made a big mistake by not thanking Multnomah county who has been at the table with us at the, from the very beginning. Chair Deborah Kafoury, commissioner Sharon Meieran and the entire Multnomah county commission has been really, really supportive of this project. And I would be remiss if I did not put that on the record. Thank you.

Wheeler: We are in recess.

At 3:34 council recessed.

At 3:47 council reconvened.

Wheeler: We're back in session everyone, Karla, please read item number 1084.
Item 1084.

Wheeler: Commissioner Eudaly.

Eudaly: Thank you, Mayor, colleagues. Today we are considering the appointment of five new members to the new Portlanders Policy Commission, which is responsible for advising the city on practices and policies to help us more effectively partner with our immigrant and refugee communities. We will hear a short presentation from Linda Castillo from Civic Life and then have an opportunity to meet each of the nominees. Linda, take it away.

Linda Castillo, Office of Community and Civic Life: Wonderful. Thank you. Good morning. Mayor Wheeler and Commissioners. Good afternoon. Yes, I said good morning. That's when I wrote it I suppose. Good afternoon, Mayor Wheeler and Commissioners. My name is Linda Castillo and I am the staff of the new Portlanders Policy Commission and Programs. Today is an important day as we seek to have five community members appointed to the new Portlanders Policy Commission. But before we move into that process, I would like to share just a little bit of our immigrant and refugee community and programs. Portland is a city with much human and social capital and we have many newcomers who have arrived in Portland seeking a new life, safe harbor, and opportunities to start a new life. We have many nonprofit and mutual aid organizations who are open and interested in collaborative partnerships and intentional relationships with government jurisdictions. Our multicultural intersectional community is relational, familial and seeks to retain its language and cultural roots as well as be part of the Portland community and the life in the United States. Our cultural and communities have much to share with the city of Portland as to what best serves immigrant and refugee communities, as well as innovative and necessary services to serve them and benefit the community to keep them well, thriving, and vibrant. The new Portlander program utilizes the practice of collaboration and interrelational work to support the development and creation of sustainability of a multicultural intersectional foundation to engage community and civic involvement, community engagement, and the pursuit of democracy within the community and the various governmental jurisdictions. The presence and participation of immigrant and refugee communities offer the opportunity for our city to be intentional in its racial justice framework and to raise the bar on cultural competence and access to all services government has to offer. Nearly half of our public school kids go home to ethnic minority families. Many north and east Portland neighborhoods are animated by populations that double these percentages. Populations are youthful and rates of new Portlander population growth and economic participation is dramatic. Assets such as immigrant ambition, family integrity, entrepreneurial energy, community enthusiasm for democracy are deliberately integrated into Portland's participatory system of local governance. Immigrant and community health and happiness depends upon our families participating in democracy. The new Portlanders Policy Commission researches issues, advises the city on decision-makers and sets goals for newcomers integration. NPPC is one of four new Portlander program sectors. We offer training and information through families who move. We offer equity and practice consultation to the bureaus. And manage and support our cultural and linguistic community engagement liaisons. These are individuals cells as they commonly are known as. They have gone through our community and civic life leadership programs and now provide community engagement. Outreach and facility takes services to various city bureaus and are paid for these services that they provide. All of these efforts integrate immigrant and refugee voices and needs into the provision of city services. This is the photo of the founding new Portlanders Policy Commission. We have two of the co-chairs here and another member as well. They're amazing leaders. And in the next year we will have additional opportunities to nominate and appoint additional commissioners as some of these commissioners are going to be terming out of service. So

hence our commission will continue to be diverse and reflective of the Portland immigrant and refugee community.

Hardesty: Excuse me.

Wheeler: Commissioner hardesty.

Hardesty: Can we go back two slides, please. Wrong way. One more. Integrated by design, partnership with elected leaders and bureau managers. Would you tell me again what does that look like?

Castillo: That looks like is, we often will have our new Portland policy commission request to meet with different folks to understand various issues that are coming up in the bureaus. For example with the code change or census work or the work or the work that the Portland parks and recreation might be doing. So the invitation of those particular entities to come and share more information to support the work that they're doing.

Hardesty: I would very much -- I mentioned to the co-chairs when I first got here 11 months ago that my office has no relationship with the new Portlander commission. And I would very much like to have one. What does an elected leader do that would actually like to have a relationship with this commission?

Castillo: Yeah. What we have often done is we've reached out to staff and asked them to participate and then report back to the commissioner. And that we still encourage and if there's opportunities to continue to meet with you and your office and to discuss some of the things that you are interested in, we are happy to do that as well.

Hardesty: Thank you.

Castillo: Speaking of new commissioners, this is the reason why we are here today. To seek the appointment of five individuals to the new Portlanders policy commission. I know that council members and mayor have copies of the candidates' bios but I can share these with the broader audience. So you have a better sense of who they are. Our first candidate is Ahmed Al zubidi. He is a school district community liaison for the arabic community and as a refugee he has utilized his skills in case management, interpretation and coaching within the refugee community. Such as I are irco and catholic charities. He is a community leader in the arabic community, founder of the arabic house and member of the current advisory committee in his childrens schools. He is a graduate of the pilot and bold leadership programs and is well known as a bridge builder and community collaborator. And for eight years he has served as senior correspondent with the u.s. Army in baghdad. Another candidate we have is Mohamad Bader. He arrived in the u.s. In 1986 from palestine and is a founder member of the jerusalem israel organization. And as a volunteer he engaged in arabic -- he engages arabic speaking muslims through the connection with their local community organizations. As a licensed professional counselor, he's trained to listen well. He currently serves as a deputy director for the county human services and has significant experience leading developmental disabilities and adult protective services programs and he is a published writer and a poet. Our next candidate is Blanca Gaytan Farfan who arrived in the u.s. From mexico. And at the age of five. She graduated from warner pacific university where a background in history, political science, and sociology. Due to her interest in learning about more about government functions and how policies affect individuals and how we can engage with government to benefit communities to educate jurisdictions on community needs and issues. She has recently served as a Multnomah youth commission, the official youth policy body for the city of Portland and Multnomah county. She served as a volunteer with nyc for three years and as present serves in the office of diversity and equity at Multnomah county. Our next candidate is Bernal Cruz Munoz and he came from war torn guatemala in 1990 and identifies as a refugee and immigrant. He attended high school in Portland and received an undergraduate degree in neuropsychology from the university of massachusetts. Obtained a master's degree in social work from Portland state university and a degree from harvard

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medical school in global health. Refugee trauma and recovery. He serves on the advisory council as the president of rise, a program serving refugees with disabilities and vice president of rain, an international institute for human rights and migration. He works as a case coordinator for unaccompanied children's program and offers child welfare based recommendation for minors in the care of the federal government. And then our last but not least candidate is Salome Nanyenga. She is the interim operations manager and social worker at irco Africa house. She has worked an anti poverty case manager and housing stability and is the safety coordinator there as well and recently received her b.a. In social work from Portland state university. As a refugee from the democratic republic of congo she understands the challenges communities struggle with and has informed solutions and practices to address these challenges. She's also a volunteer at st. Philip neri advisory board. So given that, we also have the candidates here who would like to give some brief testimony if that's all right. And I will call up the first three.

Wheeler: Thank you for being here.

*****: Thank you.

Wheeler: Appreciate it.

*****: Ladies first.

Blanca Gaytan Farfan: So my name is Blanca Gaytan Farfan. And the reason why I wanted to serve on the new Portlanders policy commission is because I believe in and see the value of the work that the commission does. I really like the intergenerational makeup of the group. And the ability to work alongside and learn from folks who are coming from different lived experiences and different backgrounds. And working together to on the issues that we see happening in our communities. I believe it's important that we have people identify as immigrants and refugees doing the work that our immigrant and refugee communities need. And to be guiding this work and guiding those in the positions of power who are doing that work as well. I am excited to learn the ways that the commission works as well as learning from the background and experience that the fellow commissioners have just here to learn and grow together.

Eudaly: Thank you. Next.

Salome Nanyenga: My name is Salome Nanyenga. Originally from the democratic republic of congo. The reason why I want to be a new Portlander commissioner is as a new Portlander myself, I hope to be a voice of people that don't have a voice. Or people especially women. Where I came from, sometimes women just are afraid to be in the position of power. They don't want to express themselves. And so they just stay in this silo and they don't want to say what really matters to them. I hope to advocate for them and for also for immigrant and refugees communities as well. And also for the neediest population. I've been here for 15 years. Almost over 15 years. And I work for immigrant and refugee organizations for 13 years now. Back in 2004 when I came here, there wasn't such a thing as new Portlanders. And I was so, I am happy and excited when I see -- I see this happen. I knew something was really on the rise. And population like immigrant and refugees can give, can say something and commissioners can take that into consideration and see what solution they can do to that growing population. So I am really honored and pleased to be among you. And I know I am going to learn a lot from being on this board. And my hope is also to be a bridge in advocacy and be part of some of the many solutions that as a team, we will be able to work together to make -- give solution to this growing population. Thank you.

Eudaly: Thank you.

Wheeler: Thank you.

Ahmed Al zubidi: Hi. Thank you for having us today. My name is ahmed al zubigi. I am a refugee from iraq. I arrived in 2014. As a refugee. I work as a senior correspondent for 13 years, eight years from that, 13 years I was a senior correspondent for the u.s. Army in

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baghdad. After two weeks when I arrived, I involve with the community. And I graduated from the pilot program. And I start to be, how to be a community leader and try to organize my community, especially when I notice there is still divided because with all the experience they bring from middle east and divided we have it there. So they still divided. And I try to build a bridge between them. And we success so far until now. And I work at irco, catholic charity as a main case manager with a contingent. I am being a founder for the arabic house organization and now we have school teaching arabic to the kids in the community. And I like to be the bridge between my community and you guys for us and be the bridge between them to make, create strong community. And I hope I will success with this, with this mission. Thank you.

Wheeler: Thank you.

Fritz: Thank you for your service with the military, too.

Wheeler: Thank you. It's a tough act to follow but I bet you can.

Mohamad Bader: Mr. Mayor, we worked a long time ago so it's good to see you.

Wheeler: Good to see you.

Bader: My name is Mohamad Bader. It's really quite an honor to be here. I am just going to stick to my script since I only have one minute. I came to this country in 1986 as an immigrant. I came from east jerusalem where there was not a lot of opportunities for palestinian kids. There was at that time there was no education. I came from very poor family. I was able to make it on the shoulders of those who received me here. Wonderful people who supported me and shepherd me through college. I was able to graduate, get a job. And I reached the highest level of position I can get in government. So my hope is to be able to pay back and be helpful to other immigrants and refugees, help them unlock and find a way to reach to services, whether it's to reduce the fear of government or to mentor, and also to be able to advise if possible. That's one of the greatest role I can offer you or your staff or others. Just to be able to provide any experience or wisdom that you may have. So I have some experience also through my work with performance management. And with quality improvement. And with leading. And so hopefully I can provide either the council themselves or any other person that needs that kind of help. Thank you.

Wheeler: Thank you.

Bernal Cruz Munoz: Feels good to be in such great company. My name is bernal cruz munoz. The foundation of my work is basically community based social advancement. I believe that any good for the people must come from people. I came from guatemala in 1990. I was a teenager and I have lived in Portland for 29 years. I have seen the changes in our city and the changing attitudes toward the demographics and diversity. I love this city. And I think that the way we treat our most vulnerable population is a testament to the city we want to have. It's fine to have ideals. I think consciously and mindfully trading policy is the best way I can do that. I am not just honored and humbled to be here but I am also committed and dedicated to making improvements where they may be needed for the betterment of the community I identify with. Thank you.

Wheeler: Thank you.

Eudaly: Thank you.

Wheeler: Appreciate it.

Eudaly: Council, do you have comments or questions?

Wheeler: I have a comment. I just can't get over how amazing each and every one of these individuals are. You are all busy. You all have other lives. You have many competing interests and I feel really grateful that we have people like this in the community who are willing to step forward and frankly help us. And help the community. So thank you for that. Commissioner hardesty.

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Hardesty: Thank you, mayor. I want to add my appreciation for your willingness to step up. I especially appreciate hearing women talking about being from place where's women don't normally speak up, right? Or have some fear around speaking up. Because let me assure you that that fear is all over the planet, right? There's nowhere in the u.s. Where -- nowhere in the world where I think women just naturally think that they should be leaders. Women always become leaders because someone asked them to step up. And they always step up reluctantly. And so just want you to know that that's not an immigrant experience. That's just a female experience, right? But it's important that you have a safe place to have conversations because I certainly know that it doesn't appear to be safe every place we go today, even in our own local community. Hate crimes are on the rise. Immigrants and refugees are facing the brunt of those new insults to our person hood. And I look forward to the advice that you will offer us. But let me challenge you right now. Challenge us. Make us do what you think we need to do. Because we need to know, right? As you can imagine, lots of people give up lots of advice. But the squeaky wheel and especially the one that shows up on a regular basis tends to have more success, right? Don't just write us and say, ok, we did it, we're done. Because nothing works that way thank you so much for being here and thank you for your willingness to serve. Greatly appreciate it.

Wheeler: -- we have a motion.

Hardesty: Second.

Wheeler: Motion from commissioner Fritz. Second from commissioner hardesty. Any discussion? Please call the roll.

Eudaly: It's been a pleasure working with the new Portlanders policy commission on everything from our welcoming inclusive sanctuary task force to our fare access and renting policy. It's important for us as a council to remember that many of the issues we deliberate on can have unique and sometimes harmful impact on our immigrant and refugee communities. And that's one of many reasons i'm so grateful for the contributions of the commission. I like forward to continuing to work with those already on the commission. I welcome our new commissioners today. And thank you, linda castillo, thank you to the new commissioners for their willingness to serve. I vote aye.

Fritz: This is really fantastic. Thank you very much for being willing to serve. Thank you to past members, current members who are with us again today for all of your service. Thank you, from david douglas with all the work you do with the community. Folks, setting up in commission in 2016, it was really meaningful to me as an immigrant. I came here 40 years ago, in 1979 as a temporary resident alien is how I had to fill out my task form. I thought I was from mars or something. I became a permanent resident in 1982 and a citizen in 1992. And so next year I will be retiring. And somebody recently asked me, are you going to go back to england? I was like, hmm, no. This is my home. I appreciate from a different perspective as somebody who speaks something like american and who has white skin that my experience was different. And each one of us has a different experience. And that's what makes the new Portlanders policy commission so really important. And being able to have different communities. In some ways it was like the challenges of the Portland commission on disability that different differences, same struggle. And I think that's the case also with the new Portlanders policy commission that each of you has a very unique story, which adds to the richness of working together. And sometimes can make it challenging to work together. And so I appreciate you being willing to step up. Thank you, linda castillo, for your amazing leadership of this group. And I am very happy to accept your offer to serve. Aye.

Hardesty: Aye.

Wheeler: I feel like i've already spoken enough. And I think commissioner Fritz said it best. We need the caliber of leadership that you are providing. We probably needed it, we need

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it more now than frankly we have probably ever needed it. So I am glad that we have amazing commission. Linda, I want to also extend my thanks for your leadership.

Fritz: I forgot one. That is to dora perry who started working with me. She is an immigrant from nigeria who started working with me day one being at city hall. She is now the equity and inclusion manager for the bureau of development services. Her work was instrumental in setting up this commission.

Wheeler: I vote aye, the appointments are approved. Thanks for your service. I really appreciate it. [applause]

Fritz: We could have a picture.

Wheeler: Further discussion on the recommended draft. Karla, can you please read item 1085.

Item 1085.

Wheeler: I don't know whose idea it was to put this at the very end of the agenda. [laughter] after two long days. But it was probably mine. So to help reorient everybody on the proposals, the intent of the better housing by design amendments is to expand housing options, address affordability and improve design in Portland multidwelling zones specifically. As you may recall we held public hearings and we took testimony on better housing by design on october 2nd and november 6th. As of 3:45 p.m. Today the record was closed. Which means we will not be accepting any more testimony on this matter. Today we will be discussing and voting on the amendments to the recommended draft. So we have project manager bill cunningham who is going to start us off to walk us through today's agenda. Welcome. Thanks for being here and thank you for your patience.

Bill Cunningham, Bureau of Planning and Sustainability: Thank you, mayor and other members of the city council. We will launch right into this. We don't have a lot of time. We have organized today's agenda into three parts. The first part is a discussion and ultimately votes on seven major code amendments that were introduced during the november 6th city council session. As a reminder, the major code amendments were moved as a package but council agreed to vote on them individually. There's also a small number of requested replacement code amendments that will need to be moved and seconded to bring them to discussion and votes. After the end of those major code amendments, our second part is focusing on separate discussions and votes on three map amendments. All of those were introduced during the november 6th city council session. And then finally the third part is a consideration of several minor or technical amendments. We suggest council consider as a group. All of those amendments are included in an amendments packet you received dated november 20th which should replace a large packet you had received on november 6th that looks like this. A number of commissioners' offices have been using somewhat summary table so we shared that with you as well. Just to highlight, the full detailed code language that you are voting on is in the bigger packet. But the table could also summarize and make it easier to go through things. I should also mention that with the new amendments, the full amendment set that you have before you, we did share that with the public, posted it on tuesday. And sent notice out to 600 people on our project notification list. So there's some public awareness of even the new items. With that we will start with part one, which is the group of major code amendments. For each amendment staff will come up and introduce and provide background on the amendment. We will also ask to provide staff recommendation on each amendment so we will do that. And following that, the council member who sponsored the item will begin the discussion. So that's our plan.

Wheeler: Very good. Ok. And after the discussion, on each amendment, I will ask Karla to call the vote on each amendment. I know that we said we would vote independently. There's some of these amendments are independent and I might suggest we vote on them as a package unless anybody objects. If the vote fails for any particular amendment it will

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not be a part of the amended recommended draft. I recommend that we vote on the group of minor or technical amendments as a package. And then of course at the end of the meeting I will ask you to come up again and summarize where we are and next steps. Is that relatively clear to everyone?

Hardesty: Yes.

Wheeler: If not it will become relatively clear. We just got this large document from Karla. The first item includes three amendments that work together to provide an affordable homeownership option for the deeper housing affordability bonus. Bill, can you describe briefly these amendments for us.

Cunningham: Sure. We also have slides up on your screens you can follow with. Amendment one, we are calling those the deeper housing affordability amendments, just to remind you the deeper housing affordability bonus is really focused on providing a broader range, a greater number of affordable units in our standard inclusionary housing bonuses provide of half the units will have to be affordable. At 60% median income. That compares to inclusionary housing that's only 10% of units. You get more bonus greater scale using this bonus. The amendment would add a homeownership option to this development bonus. And one reason why we are grouping these together is because the three pieces that work together for the same thing. Basically there's a zoning code amendment that references title 30 which is our affordable housing title. Title 30 specifies the allowance that's geared toward homeownership opportunities and. And then the 1c component would amend the better housing design ordinance to incorporate the title 30 amendments and add a new exhibit. The basic intent is to have this deeper affordability bonus really expand its utility so that could really help with expanding opportunities for affordable ownership housing.

Wheeler: Commissioner hardesty had a question.

Hardesty: So at 80% of median income for a, quote-unquote, affordable house, median income in the Portland metro is what about \$80,000. Affordable housing at 80% would be about \$75,000? That somebody would have to make before they would qualify for a affordable housing option?

Cunningham: Those are good questions. I am deferring to Matthew Tschabold with the housing bureau. And he can also explain why this 80% level for ownership housing could be useful as part of this bonuses.

Matthew Tschabold, Portland Housing Bureau: Good afternoon. For the record, Matthew Tschabold, the Portland housing bureau. Commissioner, to answer your first question. Currently 80% area median income households eastern between \$49,280 up to around \$70,000 depending on household size. So a household size of one, it would be around \$50,000. Up to \$70,000 for a household size of four.

Hardesty: Up to what?

Tschabold: \$70,000.

Hardesty: Is that Portland-specific? Or is that the Portland metro area?

Tschabold: The Portland metro area. That's how hud establishes the median income levels.

Hardesty: The last time we had a presentation from the housing bureau it was right around \$80,000 for a family of four. So unless it changed radically, it still must be -- let's just assume your number is correct. Right? Let's just say, what did you say 70,000?

Tschabold: For a household of four.

Hardesty: I know that's low. If it's 70 and they have to have 80% of 70 are \$70,000 to in order to quote-unquote qualify, they would have to make \$60,000 in order to qualify. Is that correct?

Tschabold: I think you and I are saying the same thing, commissioner. So the 100% of the area median income is the \$88,000.

Hardesty: Yeah.

Tschabold: The number I gave is the 80% level. So \$70,000.

Hardesty: We are in sync. I didn't know what happened. It couldn't have changed that drastically so quickly. Let's not pretend that is affordable. So my question is, why call it affordable? Why don't we just say 80% of the median area income rather than calling it affordable? I think what we are doing is setting up false expectations that working people will be able to actually be able to buy a house with that wording.

Tschabold: So I think wording aside, the 80% of the median income, there's a few reasons. So we are requesting the amendment. One is, our nonprofit partners who do multi-family homeownership, townhomes or condos, they are a target income levels are usually somewhere between 50% of the median income up to 80 or 100% of the median income. Just in terms of their work. Not in terms of necessarily what the bureau funds. And what they have told us is that a couple of reasons that this bonus could be valuable. So one is that for those that do permanent affordability, for habitat for humanity or proud ground who maintain affordability for the life of the building and its sold to income qualifying families on subsequent sales, that they have, they like to work with families to do wealth creation. And they like to make sure that the families can increase their income and still be eligible to stay in this permanent affordable home and so going up to 80% alleviates some of their concerns. The second reason, one of the second big reason we talk with our nonprofit partners is it can be challenging to finance kind of a townhome or condo structure for households at 40 or 50% of the median income. Which they do want to try and serve those households with regard to homeownership. And by also having some higher income households and higher sales price units, it helps to cross subsidize. So they may have some 80% units for sale which allows them to sell below 50% of the median income. And so that is part of the reason that the bureau is requesting this amendment is that it is currently, it aligns with a lot of our other homeownership programs that the bureau administers and it's something that our nonprofit partners would support.

Hardesty: What I know about inner northeast Portland where we have the homeownership opportunity as the first right to return, is that when people are, even if they are at \$60,000, \$70,000, people have other issues that they have to work through, which is why, rather than having a whole lot of homeownership opportunities, what we found is what we have had maybe four and three years in that project. And at the right, the right of first return. And inner northeast Portland. So my concern is just that when we say affordable at 80%, that's just not true. It's just not affordable for working people unless they're working three jobs and have no kids. So --

Tschabold: Fair.

Hardesty: That's just my humble opinion. Thank you.

Wheeler: Very good. All right. Personally, I appreciate these amendments. I support them. I think they'll help expand access and also affordable ownership opportunities for people. If you don't mind, colleague, I would like to recommend we vote on amendments 1a, 1b, and 1c on the first page of this as these are interdependent amendments. Does anybody object to that? Very good. Karla, could you please call the roll on 1a, 1b, and 1c.

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

Hardesty: Mayor, I didn't object so I vote no.

Wheeler: Aye. The amendments are adapt adopted. Next up is amendment 2, which amends the affordable housing parking exemption. Bill, would you please describe this amendment.

Cunningham: Sure. Lets pull up the slide for amendment 2. This amendment would be exempting an existing affordable housing, i'm sorry, expanding a affordable housing exemption for parking. Currently, if you are within 500 feet of frequent service transit lines, that's 1/10 of a mile, projects that include affordable units through the inclusionary housing

program are exempt from providing parking. And the intent of this amendment is the same reason why we have that exemption which is to help reduce costs associated with providing parkings as part of compact development to really support the ability to get housing projects that include affordable units. Some things to consider. This exemption, this parking exemption would primarily be applying to the multidwelling and mixed zones which is where we have our inclusionary housing programs. 95% of those zones are within a quarter mile of frequent service transit. So pretty much all those zones nearly all of it is within a walking distance of transit. We did do an analysis looking at development feasibility. And one thing that came out of it was that parking requirements do affect of the feasibility of units. When we are modeling some of our developmental allowances for the most part housing developments weren't doing well economically. That's when we were including parking with the projects. When you took parking out inclusion housing developments actually did pencil and became fairly attractive to do. What we found is whether or not you are requiring parking definitely plays into the feasibility of projects that include affordable units. Basically, what this amendment would do is to apply the frequent service transit affordable housing parking exemption to any affordable housing project city wide in those zones. But again, they're not exactly city wide. They're usually near our transit lines. Currently, the exemption, if you are outside of that frequent transit buffer, there's some reduction in parking requirements but there's not a total exemption for all units for those projects. So bottom line is this would apply, the same parking exemption that currently applies to very close to frequent transit in all multidwelling and mixed use zones.

Wheeler: Commissioner Fritz?

Fritz: When back in mayor haless' administration, we looked at parking minimums for multifamily housing. And there was a study done that showed how many residents of these buildings actually own a car even if there's not parking. Can you remember what that number was?

Cunningham: From what I recall from that study -- the total study was both affordable and private sector development and something like 70-plus percent owned cars.

Fritz: That was the number I remember, too. So I wanted to check. So where would those cars get parked if there isn't any parking minimum?

Cunningham: A couple things. One thing to remember is the amendment would not be disallowing parking. It would be making parking optional. A number of projects, especially in east Portland, even when parking is not required, include some parking. But basically this amendment would leave it to the market in terms of whether they would provide parking. But there is a tradeoff. At least in the current situation with people owning cars, there would be more people parking on the street. The city's approach from the mixed use zone project was to focus on managing on-street parking demand through things like permit parking programs when parking becomes an issue. We also, of course, have climate action plan goals where within the lifetime of these buildings, the intent is that we are moving to a future over the next 20 years where we will be less dependent on cars. So what we build today, of course, feeds into the kind of environment we will have 20 years from now.

Fritz: The part of what we want to do is to move to electric vehicles. And there's nowhere to park an electric vehicle, there's nowhere to plug it into.

Cunningham: That's true. I should mention even where we do not require parking, there is a large proportion of projects that include parking. So if someone, we would have another project that's looking at electric vehicle parking. And the ability to support that. But it does not make the presumption that every housing project would have it. But when parking is provided, the thinking is it should support electric vehicles. But that project hasn't really envisioned a future where we, we anticipate everyone will have that.

Fritz: Thank you.

Wheeler: You're economic analysis showed that on the margin, the parking requirement could be the difference between whether affordable housing project is viable or not. Is that correct?

Cunningham: Yes, it is. That analysis was showing that with parking being provided for units tended to be the expensive townhouse type configuration, tended to win out. When parks was not included, the surprising finding was that an inclusionary housing project, mixed income housing with some units at 60% area median income was actually the most attractive. You went from a situation where with parking, inclusionary housing wasn't penciling out very well to without parking that inclusionary housing project became the most attractive economically to pursue. So, yes, there's a strong linkage to the parking requirements and what would likely be built.

Wheeler: And I am not unsympathetic to what commissioner Fritz is saying. But I guess on balance where I came down on this is the need right now, the crisis is around housing. And housing affordability. And the extract from the study were pretty compelling to me. Any further question? Commissioner eudaly?

Eudaly: I want to make a few points on this item. Low-income households are less likely to own cars and more likely to walk, bike, or take transit. Number two, developers are in the business of selling units. So depending on who they are catering to through their development, they are going to include parking, if parking is a necessary amenity for their kind of target audience. And, three, is we're not at capacity with street parking. You may not be able to park in front of your house anymore. You may have to park a block or two away. So given that requiring parking means eliminating units, and these other factors, I very inclined to support this.

Wheeler: Any further discussion? Karla, could you please call the roll on code amendment 2.

Eudaly: Mr. Cunningham, I just want to thank you for walking me through my proposed amendment last week and helping me realize that while I think the aspiration was good it didn't achieve better outcomes than the amendment as is. I am happy to support the mayor's amendment. I vote aye.

Fritz: Appreciate the thoughtful discussion. I think, I know that low-income families often need a car to be able to get to their jobs after hours because the transit doesn't run and they're in some parts of the city there isn't on street parking and there's no sidewalks between where there is parking and where the residents is. I regretfully vote no.

Hardesty: I have no hesitation about voting yes in favor of this amendment number 2. While I do believe that at some point poor folks will be able to buy electric cars, I just can't imagine it being on the top 500 of their list of things they desperately need right now. So I think this is, I think this is a good compromise and I vote aye.

Wheeler: And I just want to remind people that this does not preclude a developer from including parking should they decide that that's what the market will bear. It does not require them to. I vote aye. Amendment is adopted. Next up is amendment number 3, which would disallow development bonus from being used on site where historic building has been demolished, bill would you like to describe this amendment and I want to offer commissioner Fritz the opportunity to talk about this amendment as well.

Cunningham: Sure. Amendment 3, we have a slide for that one. This amendment would disallow the use of bonuses or f.a.r. Transfers on sites where an historic building has been demolished. This would apply in both the multidwelling and mixed use zones. The intent is to prevent the bonuses and transfer allowances from serving as an incentive for the demolition of historic buildings. One piece of background is currently, in multidwelling zones, there's no limit to the use of bonuses or transfers in historic district. Currently they are allowed. Some considerations is that national register of historic districts such as the

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alphabet historic district in northwest and kings hill, any demolitions in those national register districts or national register landmarks require city council approval. It does not happen very often. Northwest district hasn't had a single historic demolition in the last 20 years. However, we also have locally designated historic resources including locally designated conservation districts such as the mississippi historic district. And those locally designated districts only have a demolition delay. They do not have the same demolition review and by city council or staff that could say no to a demolition. I should mention we have an upcoming project, a historic resource code project which is updating our historic preservation regulations. And they are considering applying a demolition review procedure to those locally designated conservation and districts and landmarks. So very briefly in terms of staff recommendation, we do not support this as written. We understand the concern about demolition. We do feel the appropriate place for limiting demolition is through demolition review. Already in the central city we have major zoning entitlement but demolition review has been pretty successful at preventing demolitions. So we do think that the historic resource code update and strengthening those demolition review procedures for the local districts would be the way to go. But again that's our perspective.

Wheeler: Commissioner Fritz.

Fritz: Just to clarify it says has been demolished in the last 10 years, that includes will be demolished?

Cunningham: Yes, the regulation written that you can't use a bonus if a historic resource has been demolished over the last 10 years. And that includes the concurrent with any application.

Fritz: Ok. So yesterday we heard a very compelling presentation on the completion of the transcontinental railroad in which the statement was made, a generation that is ignores its history has no past and no future. Now we have just heard there are protections in northwest district that are not present in some of the other districts such as mississippi, elliot, some of the other places in the albina neighborhoods. All you get there is demolition delay which unless the community can raise the money to buy the building and move it, it's not going to, the building is going to get delayed. So until the historic resources code project is done, it would seem to me to be prudent to adopt this resolution. If it turns out we have an alternative method protecting historic resources, after that project is done, then we can reconsider this. But for right now this is the only thing that's standing between these historic buildings getting demolished in some districts and I am very concerned about the incentives for demolition with bonuses and transfers. And also remember that many of these buildings are the naturally affordable housing, naturally occurring affordable housing. These are some of the big old housing that's already been subdivided into smaller units. And so to provide an incentive to get rid of those and something to go is going to be more expensive doesn't seem prudent either.

Wheeler: Any further discussion? Commissioner hardesty?

Hardesty: Thank you, mayor. Thank, commissioner Fritz for your proposal. I agree that many of those naturally forwardable units are also urm buildings which means in my view if there's an opportunity to make those buildings safe for low-income people, I would be a big fan of doing that. So i'm not feeling the need to support this amendment at this time.

Wheeler: Commissioner eudaly.

Eudaly: I really appreciate the intent of this amendment. I do think with the national historic properties we have enough of a safe guard in place, right? It's a council decision. I am concerned about the locally designated historic resources. I am unclear about the process in which something becomes a designated historic or contributing. So i'm nervous about implementing a blanket policy because as commissioner hardesty mentioned, there may be some buildings that need to come down. And I wouldn't want to deny that property owner a benefit that everyone else gets. But I do like the idea -- I do agree that there may

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be an incentive to take solid buildings down. And that's not -- I don't think that's what any of us want. So what, I mean, other than strengthening our policies around the locally designated historic resources, do you see any way we could craft an amendment here that would give them more protection?

Cunningham: The amendment could be modified so that it provides an allowance where you could use a bonus if a development building has been demolished through demolition review. So that would disallow, I would say, a resource in a conservation district from being demolished because there is no currently any demolition review. So you could potentially modify the code language that exempts projects approved through demolition review which again we don't have right now for conservation districts. So that would allow, for example, in the central city or national registered historic district, if the city council did decide demolition was warranted you would be able to use the bonus with the new housing that came in. But at least as an interim basis it would prevent conservation district demolitions.

Eudaly: There would be no avenue there for the conservation district buildings.

Cunningham: Currently there is no demolition review procedure for the local conservation districts.

Eudaly: That's, yeah, so that's my other concern. Like say someone has a building that's worth \$1 million but it's going to cost \$1.5 million to upgrade and it requires, it's not safe. I mean, this is obviously just a hypothetical. I don't feel like that person should be penalized for taking a building down that they really can't reasonably preserve.

Fritz: There's no evidence in the record that all of these buildings are unreinforced masonry.

Eudaly: I'm not suggesting that, no. I'm just saying if we put this blanket restriction on the locally designated historic resource, there will be circumstances where really the most reasonable path forward is taking down the building and building a new building. But then that property owner or developer won't have access to benefits that I think they should receive.

Fritz: I'm suggesting do this for now until we get that upgrade to the historic resources protection.

Eudaly: When would that happen?

Cunningham: The historic resources code is going to the city council I understand in the summer of 2020. This regulation by these, better housing design amendments would come into effect if it's approved on march 1st of 2020. So if you did not put in a protection there would be a little bit of a gap between the better housing by design regulations that come into effect march 1 and you would see the historic resource code amendments in the summer.

Eudaly: In the summer we would have an opportunity to revise this amendment then? Create a new policy that would supersede it, I guess?

Cunningham: Or it could result in strengthened demolition review for the conservation districts.

Eudaly: Commissioner, would you accept a suggested amendment to your amendment that we put this on locally designated historic resources? Because the national historic resources --

Wheeler: I would have to check with legal counsel. We are already in the vote.

Eudaly: No we're not.

Wheeler: Are we still in the discussion?

Lauren King, Deputy City Attorney: Karla hasn't called the roll on this one.

Wheeler: Thank you for the clarification.

Hardesty: I do have a question as you are contemplating that amendment unless you have a response.

Fritz: I just want clarification. We would add, where historic building in a conservation district.

Cunningham: Staff has come up with some language that would disallow these demolitions in conservation districts in conjunction with the use of bonus. It's not exactly the wording you just mentioned --

Wheeler: Could I make a suggestion? We obviously don't want to be here all night. Could we move on from this? Have you draft something?

Cunningham: We actually have some draft on it right now.

Eudaly: Oh.

Fritz: Why didn't you say so?

Wheeler: Sorry. It was my -- ok.

Hardesty: Unfortunately, we have not had the conversation yet about the racist history of housing policy in the city of Portland.

Wheeler: Thank you.

Hardesty: And so moving forward protections to protect historic anything without that historic context I find a little disingenuous. Not that I'm suggesting any of my colleagues are being disingenuous but I think it's out of context to what it is we're trying to build. And I just feel like if we are solidifying status quo in place, without actually having the context of our history and how we got to these lovely historic districts in the first place, then we are going to miss the opportunity to do this right. And so I am open to any suggestion that actually both helps us move forward but does not ignore the racist housing policy issue that has created these historic districts that we're now talking about protecting so they don't have to see change. I'm just not into that. So what is the recommendation from staff about, how do we center this conversation in some knowledge around what our history has been around housing policy in Portland?

Cunningham: I might mention, and to clarify, these amendments would only affect the multifamily and mixed use zones. And the other racist history of zoning single family zoning had been used as an exclusionary tool. What we are discussing here places where we have existing apartments that are part of the historic fabric. So that's places like the northwest district. And that area actually has higher portions of lower income households than the city average because of the apartments. Another thing to be aware of is the conservation districts are the districts that are most vulnerable to demolition, and all the conservation districts were created as part of the albina community plan. So they are, they include resources that were important to this history of the african-american community. So preserving those multifamily type structures or those, that development in the multifamily zones has a very different effect than, say, for thinking about an east moreland type place that was part of reinforcing single family as the only housing types. This would be affecting a different sort of housing. And it would be especially affecting the conservation districts in the albina community plan.

Hardesty: Is the not true they got their historic designation as single-family homes and over the years, as those homes have been sold off, they've been divided into these tiny apartments?

Cunningham: Those areas do include houses and include houses that have been divided into multiple units. That's true.

Eudaly: I mean, another issue to be cognizant of in that regard is that there are still a lot of african-american property owners in those neighborhoods. And if we take away a benefit from them, when they want to redevelop their property, although it may be, you know, we may have the best intentions about preserving historic buildings, it becomes really problematic really quickly when we tell, you know, certain property owners that they are not entitled to benefits that we're giving the rest of them. So I just want to appreciate how complicated it is. That we really want to keep all our good, old housing, whether it's a big

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single-family home that could be divided internally or an existing multifamily property. I'm not sure if you have had a chance to look.

Fritz: I appreciate your suggestion and I appreciate the staff putting this together. I move to substitute this as my amendment three.

Eudaly: Second. We have a motion from commissioner Fritz, a second from commissioner eudaly. Commissioner, just to be very clear, you are withdrawing amendment number 3 and replacing it by the language that we have on this page?

Fritz: Yes. City attorney, do we need to vote to substitute?

King: You don't need to vote to substitute the amendment.

Wheeler: She's withdrawn.

King: You moved and seconded so it's on the table and the other amendment 3 is no longer on the table.

Fritz: And then we can vote on this.

King: Now you can vote on new, we will call it, is it, Karla, new amendment 3?

Fritz: Yeah. It's new amendment 3.

Eudaly: Mr. Cunningham, could you perhaps not shelf this substitute amendment just because it's written in very technical language? What are we achieving here?

Cunningham: This amendment, it disallows the use of bonuses and transfers if you are demolishing a historic resource with some exceptions. And the exceptions include if there's been a fire, catastrophic fire, you would build with the bonuses. If there's an accessory structure like a garage that is removed, you would be able to use bonuses. And with the change, if there was a demolition review, so, say, city council approves demolition, there's good reason for it, then you could use the bonus. And that would apply in conservation districts as well. You could only demolish if you went through a demolition review procedure. That would put some safe guards in place that don't currently exist for those conservation districts.

Eudaly: Ok. Thank you.

Wheeler: If I could add --

Tom Armstrong, Bureau of Planning and Sustainability: I'm tom from bps. What that sets up is part of the historic resources code project we can create that demolition review for conservation districts so that they can become eligible for those bonuses in the future.

Eudaly: So for three months there won't be an avenue in the local resources until we come back with this new policy in the summer?

Armstrong: Yeah.

Eudaly: That seems like a really reasonable compromise.

Wheeler: Any further discussion on the new 3? Please call the roll, Karla.

Eudaly: I'm going to thank my colleagues for the discussion and for city staff for being anticipating. [laughter]

*******:** We were thinking.

Eudaly: I want to thank commissioner Fritz for raising this issue. And being willing to kind of you adapt on the fly. I'm very satisfied with this. I vote aye.

Fritz: Thank you so much, commissioner eudaly, for making the suggestion of supporting this. Code by committee and thank you to staff for doing this. This is actually why it's perfect to schedule this for nearly 5:00 on a Thursday, mayor, because zoning and the zoning code is fascinating and everybody can get into it. Aye.

Hardesty: Aye.

Wheeler: I will support this now based on the recommendation of staff and commissioner Fritz. But I want to make it very clear that the development of the demolition review procedures for conservation districts and local landmarks is part of the upcoming historic resources code project, is going to weigh heavily on whether I continue to support this on an ongoing basis. So I look forward to that. I think strengthening demolition review is the

appropriate way to address these issues. The city council still serves as an important back stop against demolitions and as was noted by staff, that's something that is rarely done. But my overall objective will be to continue to provide flexibility but with the accountability of the council stepping in the way of somebody potentially taking out, contributing, or important historic resources. I will vote aye. New amendment 3 is passed. Code amendment number 4 which would disallow development bonuses for being used on sites more than a 1500 foot walking distance from frequent transit. Bill, can you go ahead and describe this amendment.

Cunningham: Sure. We have a slide on this one as well. Amendment 4 and mayor you described it exactly as it's intended to be written. This would be disallowing the use of bonuses and f.a.r. If you are more than 1500 foot walking distance or about a quarter mile from frequent from it. It would apply in both the multidwelling and mixed use zones. And its intent is to ensure the greater scale you get happens in areas that are well served by transit. Now, just a few considerations. As this regulation is being written, it's a walking distance so measuring by the street system. And about 89 to 93% of our multidwelling and mixed use zones are within that distance so the vast majority of that zoning is quite close to transit. From a walking distance perspective. I should also mention that this would therefore mean that most properties could still use bonuses. But something to consider there have to be more documentation that you are within that 1500-foot distance. Something to be aware of, too, is inclusionary housing would still be mandatory for any building with 20 or more units. So they would be on the hook for providing affordable units but would not be able to gain the or use the development bonus for inclusionary housing. The map I have on the screen right now, sorry, it's kind of a somewhat saturated. But the very, very dark yellow here is showing areas within that quarter mile distance, the gray tones are the mixed use and multifamily that are within that distance. And then the primarily blue and some red is showing areas that are outside of that distance. It's only about 10% of that zoning that includes some places in outer east Portland in glisan and halsey, bridge tone up near hayden island and scattered areas in southwest. Those properties would not be able to use development bonuses. The way the regulation is written is that in the inner neighborhoods, you would not have to go through a special review procedure because we have a very well tightly knit transit system in those areas but there's more gaps in the transit system east and west. They would need to document that they are within that walking distance. So even if most projects could use a bonus, there would be more process involved with documentation. Something to consider, too, is most of the bonuses are for affordable housing. Up to now with you haven't had a big run for inclusionary housing bonuses. So up to now we haven't had a problem of affordable housing projects using bonuses broadly in the city. Up to now it's not been a huge problem. So with that, staff does believe, given the placement of the mixed use and multidwelling zoned close to transit we don't support additional process or an amendment that would require the documentation being within that distance.

Wheeler: Very good. Commissioner Fritz.

Fritz: So that map is really illustrates a core planning principle is that you want to have more homes where they are going to be close or be able to get to grocery stores, schools, parks, and jobs. So as was mentioned only -- this wouldn't apply to 93% of the projects which would still be allowed to use the bonus. This is trying to get at, let's not put people, let's not put more people. We already got enough capacity and they can still use the increased amount of housing that the rest of this project allows because we're not counting units per square foot anymore. Let's not put even more housing where there's no -- there's no ability to have your basic needs met. Except by driving.

Wheeler: Commissioner Hardesty.

Hardesty: Were you done, commissioner Fritz?

Fritz: Yes, thank you.

Hardesty: Thank you for that. I will say, I guess the question is, do we anticipate public transit improvements taking place while we're building affordable housing? Since most of the building will take place in east Portland, I can tell you that there's a lot of people that don't live within 1,000 feet of public transit. I can tell you that there are people that don't live where there are actual sidewalks, right? I also know that developers want to get the cheapest land they can possibly get and they will buy that land regardless of whether or not it's close to a public transit center. So the question, I mean, so we're planning both the assumption that there will be more people moving here, we need more housing at various income levels. And we will need more public transit. So I'm not understanding why we would want to exempt that process. Because I think just like housing expands, transit expands.

Fritz: I think you are making my point that we want to put more homes on the corridors where there is eventually going to be better transit. Look how long it took to get a bus on 162nd.

Hardesty: I'm not even thinking major. Yeah, I would love to have buses that went south-north. Right? But that's not my current reality. But I also know that if they're going to expand, it's not just going to be like on burnside or the major streets. There will be buses going through neighborhoods like they do today. In some neighborhoods. Granted, not in mine.

Fritz: Or mine.

Hardesty: So I just think that if we are thinking about growth, we have to think about all the growth that will happen over the life of this process, right? So we are talking about the next 20 years. We can continue to put pressure on tri-met. They're just not doing enough to ensure that there's affordable public transit for folks who need it. So I'm -- so for me, I'm -- that's just kind of where I am at the moment. [inaudible]

Fritz: If you allow more housing where it is close to transit, or transit corridors, even if they're not frequent transit, then that's going to have more ridership. If you allow and encourage developers to put more people where they're not near transit and they're not going to be able to get to transit they're going to have to drive.

Wheeler: Even if that were true, right now, the vast majority of our multidwelling units and mixed used zoning is already located around the corridors.

Fritz: Exactly. I'm just saying --

Wheeler: The centers.

Fritz: Let's not add density where it's not.

Wheeler: Why would they limit ourselves? I don't understand. If we believe that we are in a housing crisis, it seems to me we need to find ways to increase the amount of work force and lower income housing, not put restrictions and limitations on the ability to build it.

Fritz: Because we're also in a climate crisis and we need to stop people from driving.

Wheeler: Commissioner eudaly. Transportation commissioner eudaly, what do you have to say on this?

Eudaly: Thank you, mayor. I have a few comments. Again, I appreciate your intent. Very concerned about the potential impact on i.z. Developments. Two, density drives decisions about where to locate a grocery store or whether to add a bus line. So I do get nervous about restricting density in areas that are currently underserved. Because we kind of, I mean we're constantly faced with the challenge of serving the immediate needs of our community and kind of planning for the future city. So, the third thing again, and I think, I hope most people know I am not a real big fan of saying that the market will take care of it when it comes to housing, lose -- [laughter] these guys are not dummies. Guys and gals. They are likely to build the kind of housing in, you know, for their target audience where they would want to live and people who are looking for housing are going to be looking,

and need bus lines and need nearby amenities are going to look elsewhere. I'm not inclined to support this one.

Wheeler: Why don't, anything else, last word commissioner Fritz? Why don't we call the roll on this, please. Amendment number 4.

Eudaly: No.

Fritz: Our house is on fire. And we, in adopting this as I recognize it will be putting more people where they would be in harm's way when we already have an unprecedented number of deaths on our streets. Aye.

Hardesty: No.

Wheeler: No. The amendment fails. Next up is amendment 5 which would remove allowances for 100 foot tall buildings in the rm zone and historic districts. Bill, please describe this amendment.

Cunningham: This concerns an existing regulation where within 1,000 feet of light rail stations, 100 foot building height is allowed. And the r-h now becoming rm 4 zone. The intent of disallowing this height is to prevent new development from being out of scale with historic districts and their context. It's just some considerations is that this is a height allowance but it's still subject to historic landmarks commission review. So it's not a given that you would actually be able to build to that height. However, note there have been no new buildings in historic districts that have used this allowance. Just I have a couple images showing the area we are talking about. It's not a large area. It's 10 blocks, primarily in the alphabet historic district and a little bit of kings hill. This diagram and the blue is showing where you have non-historic properties where you could build to the 100 foot allowance. These are areas where the historic fabric really tops out at about five stories. There is a 12-story building in that area but it's not a historic building. In terms of where staff's recommendation is, we are fine with this amendment. We don't think it will have much of an impact especially since it doesn't affect the housing capacity in the area. You have the same housing capacity that just regulation how large the building can be. But that's what we have as staff's recommendation.

Eudaly: I'm sorry. I'm not tracking that last statement. If we don't build higher, how do we have the same housing capacity?

Cunningham: The amount of building floor area is the same.

Eudaly: Oh, I see.

Cunningham: If you actually wanted to build to 100 feet, you could only build on half of the site and go really tall. floor area allowed is what regulates how much building the floor area and the height is independent from that. The usual height from this area is 75 feet or seven stories. When you get to 100 feet, it pushes you into steel and concrete construction which is pretty extensive expensive. So there's a reason why that's not pursued an awful lot.

Eudaly: Oh, interesting.

Wheeler: Anything else to add?

Fritz: The only thing to add this language was in the original proposed draft. And as was just mentioned it's going to promote less expensive buildings.

Wheeler: So i'll take a contrarian view just so it's fun and we feel that democracy has been fully exercised. So in an historic district, we have the landmarks commission. Which can view the question of compatibility. Right? So one could argue there may be some situations or cases where a taller building is appropriate. And this would preclude that even if the landmarks commission themselves conclude that it's appropriate. And so again I will ask the question, why, since staff is either supportive or at least neutral on this, why would you support limiting our flexibility on this matter? Since there's still a check and a balance to prevent, let's be honest, crappy architecture?

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Armstrong: I think our recommendation is leaning more toward the neutral side based on commissioner eudaly's question. You can still achieve the f.a.r. In that 75 or 85-foot building but you are correct, mayor, that we are precluding even an architect trying to make the case that, if I go up this high, and I set back the penthouse, and I do a little bit more, that I can come up with a compatible building. Yes, this amendment would preclude that opportunity. But I think it's fair to characterize staff's recommendation as being more neutral. That we are not going to undermine our housing capacity. Because we see a way to achieve the same level of f.a.r.

Wheeler: Thank you.

Fritz: Wasn't this at the request of the historic landmarks commission?

Cunningham: The landmarks commission provided testimony against this 100 foot height.

Fritz: For my amendment.

Cunningham: Yes.

Fritz: What happens, colleagues, having been here, developers bring, they appeal when the historic landmarks commission says no, and then you who will be continuing on, are put in a very difficult position of trying to be both historic preservation experts and design reviewers. And making a decision about, is this a nice building or is it not a nice building? So the historic landmarks commission felt that having a more realistic height would set realistic expectations.

Wheeler: All right. Sound like we have had -- anything else anybody wants to add Karla, please call the roll.

Eudaly: Again, I appreciate the intent of this amendment. I prefer to leave some flexibility for developers. And want to note that 100 feet is the current height limit and we have seen few, if any, buildings actually built to the full height. I vote no.

Fritz: I hope you all remember me when you get this back. [laughter]

*****: My favorite part of the job, commissioner Fritz.

Fritz: I said aye.

Hardesty: No.

Wheeler: No. The amendment fails. Code amendment 6, regarding indoor common areas. Commissioner Fritz, I understand you would like to withdraw this amendment and propose to replace it with a revised set of amendments?

Fritz: Yes.

Wheeler: Very good. We will need a motion and a second for each of your replacement amendments unless you want to bring them as a package.

Fritz: No. They are kind of deliberately not a package. They're kind of a suite. And this is in response to the testimony we heard about it being difficult to do indoor open space because that takes away capacity for housing. So the first amendment is for large sites to require that large sites, which is 20,000 square feet, proposed for development with larger multidwelling structures with 20 or more units. Include an in door common area of 300 square feet which is the size of our personal offices, about. Not the whole office suite but just your own personal office. And it exempts that indoor area from far calculations, so we modeled this based on what we heard about bicycle parking, where we are encouraging or requiring common indoor bicycle parking, secure bicycle parking that doesn't count toward the f.a.r. Calculation. And we also added the amendments about the large multifamily structures that address the habitat issue where it's a condo, ,but they are actually single family structures. We are talking about traditional apartments where there's 20 or more units to require the small common in door area because it seems to me we should, people should have common spaces just as much as bicycles.

Wheeler: N/ne to add, bill?

*****: -- anything to add, bill?

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Cunningham: I think commissioner Fritz characterize the new amendment well. The key difference between earlier amendment is this is only going to apply to projects that include large buildings with 20 or more units. Those larger type buildings more frequently have things like lobbies or building management that could help manage indoor common area. This would only be triggered on sites more than 20,000 square feet. So at least half downtown block. Just so you know the overall requirement is that 10% of site area on these large sites could be common area. And this indoor space requirement would be part of that. Just to clarify where we were with better housing by design, part of the context is that in our discussions with community members, there was interest both in outdoor common area and in door common area as something that could support livability year round. Currently, if you are providing indoor recreation space, it doesn't count at all towards any outdoor recreation space requirements. The key better housing design change was to allow that to count but it was an option, not a requirement. So that's, the difference with this amendment, it would be more than an option for a building, for development large buildings would be a requirement.

Wheeler: Any further discussion?

Fritz: Would somebody second?

Eudaly: I will second.

Wheeler: Sorry. We have a motion, commissioner Fritz, second from commissioner eudaly.

Fritz: This whole project is started 20 years ago looking at how do people live in these large multifamily structures? One was the recognition that kids are playing in the parking lot. So we are now requiring some common outdoor space. But then also looking at especially with climate change, we are going to be having hotter summers and colder winters and that our families are going to need maybe a ping pong table inside or a place to have a birthday party if they are very small units.

Wheeler: All right. Are we ready to call the roll on 6a? Ok.

Eudaly: No.

Fritz: So again, we are requiring common indoor space for bicycles. And this would require common indoor space for people. Aye.

Hardesty: I live in east Portland where the kids play in the parking lot. Because there is no outdoor or indoor space that is safe and reliable for kids. And I greatly appreciate commissioner Fritz bringing this amendment forward. And I vote yes.

Wheeler: I think it's important to provide community space as an option but i'm reluctant to make it a requirement. I hear what the commissioner is saying, commissioner Fritz. I get it. But I don't think it should be a requirement. So I vote no. The amendment fails. Next item, 6b.

Moore-Love: Lauren that was a tie.

King: So the amendment fails.

Fritz: The next amendment is to say that --

Wheeler: By the way, just as an fyi, any amendment that fails tonight on a tie vote, commissioner Fish obviously could not be with us. It's my understanding from legal counsel, if nick gets back and he decides he wants to support something that went down on a tie vote, then we could revisit it and have a vote.

Fritz: That's good to know.

Hardesty: Does that mean we would have to, one of us would have to change our vote in order to reintroduce it?

Wheeler: I was told no.

King: It's not an ordinance. It's an amendment. So --

Hardesty: Thank you. That's helpful.

Wheeler: Sorry to interrupt.

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Fritz: That's ok. The second one is the next page and that's to limit the maximum percentage that can be indoor common area to 25%. It just seems to me allowing 50% of it to be inside takes away what the intent was is to have a reasonably sized area outside for kids to run around for community members to enjoy nice spring and autumn days. That's to limit instead of changing maximum indoor space from, to 25% from 50%.

Wheeler: Commissioner Hardesty, did you have a question?

Hardesty: Yeah. I'm just a little confused by this. The original recommendation was that the indoor, there be 50% indoor --

Fritz: Up to 50% indoor.

Hardesty: And you are recommending that there be with 25% --

Fritz: Up to 25%, right.

Hardesty: Indoor.

Fritz: Right.

Hardesty: Out of the totality of the space that's available for common use?

Fritz: Correct.

Hardesty: And, staff, what do you think about that?

Cunningham: In terms of that reducing the maximum allowance for indoor common area to 25% I think we're fairly neutral on it. I just, the diagram here, something showing you what 10% is. That's the amount the common area on large site. It's fairly similar to historic and recent examples of courtyard housing. The way the regulations were structured was to provide flexibility. Some of that could be met through indoor common area. We put 50% because we are deferring to flexibility. Concerned we have for some housing developer was that we are putting in new requirements where we require no outdoor or common area at all. Let's make it as flexible as possible. So allowing up to half of that 10% amount to be indoor was intended to optimize flexibility. But staff is fairly neutral whether it's 25% or 50%. It costs more to create indoor area. We're neutral about it.

Wheeler: Commissioner Eudaly?

Eudaly: I am fading a little bit. And I am really lost.

Hardesty: As am I.

Eudaly: Currently we require common area equal to 10% of the building.

Fritz: Of the site.

Eudaly: Of the site. And that could be indoor? All indoor, all outdoor? What is it as it stands?

Cunningham: No. The recommended draft proposal is, you need, area equivalent to 10% of the site area and up to half of that amount could be indoor. So like the diagram I'm showing as a 10-year block, 10% block, half of that could actually be an indoor community space instead. Commissioner Fritz's amendment would scale it back a little bit so that the outdoor area remains bigger. It's more 75% of that total amount.

Hardesty: Is this 10% of the total indoor amount?

Cunningham: Of the total site area size.

Hardesty: If you split that in half you would be giving people a closet that they could spend quality time in, right? If half of that was inside and half of it was outside?

Fritz: Just on large sites.

Armstrong: The common area. So if you have a 20,000 square foot site, a quarter block, or half a block.

Hardesty: All right.

Armstrong: And we're --

Hardesty: How many units? 20 or more?

Armstrong: It varies. But what we are saying is have to provide 2,000 square feet of common area. And then the question is, how do you divide that common area between outdoor space and indoor space?

Hardesty: Got it.

Armstrong: As written, it's half and half counting the indoor space. A developer could provide a 500 square foot room or a 1,000-square foot room, it's their choice but you would still at a minimum you would have 1,000 square feet of outdoor space. Under this amendment, it would be 500 and 1500. You would have to provide at least 1500 square feet of outdoor space on these large sites.

Hardesty: Thank you. You brought me back. I got it now. All right. We're good. We're with you.

Eudaly: So I mean again, the face of it, it seems like a reasonable idea. I'm nervous about being that prescriptive with developers when the needs are going to vary by neighborhood, by site, depending on who they're catering to. And I know that i, well, I live in a court yard apartment. And the only person i've seen in the court yard was using it as a temporary workshop for kitchen remodel. Probably not the use that we're aspiring to here. And I do see a lot of other newer sites where that outdoor space. Thinking of the one that's between vancouver and williams on fremont. No one is out there because I don't know. You are sitting in the middle of feels like a panopticon. You are sitting around with people observing you. It's nice to look at but for some reason not attracting people. I feel really nervous about being this prescriptive.

Fritz: Nobody seconded it.

Wheeler: We need a motion and a second. We have a motion. We have a second. Please call the roll. On 6b.

Moore-Love: Who seconded?

Wheeler: Commissioner hardesty seconded proposed amendment.

Eudaly: I'm a no on this one.

Fritz: Aye.

Hardesty: I think we need flexibility. I think about the gate gateway discovery park housing that human solutions is building. And so if there was a mandate for extra space inside without recognizing there's a park right outside, then, it would be a mandate that would be very difficult to fulfill, right? Developers would object to that right? Why would I have to build all this space inside when we have a park right outside the door? I think we need that flexibility but we also need to hold developers accountable to make sure that space is usable space especially in areas that lack of the infrastructure that some areas of the city have a wealth of. So I vote no on this amendment.

Wheeler: I prefer flexible approach and I don't see a compelling need to limit the common indoor area to 25%. I vote no. The amendment fails. Amendment 6c.

Fritz: Commissioner hardesty, that was a really compelling argument about gateway discovery park. Thank you. 6c is kind of my back-up plan for 6a which is the very least could we please exempt indoor common area from the f.a.r. Calculations? There by providing an incentive to provide some indoor common area?

Wheeler: I will second it. So 6c is commissioner Fritz moves proposed amendment 6c, I will second 6c. I like it. It will retain capacity for the housing units. It provides indoor community rooms and it doesn't come at the cost of housing unions. I think it's a very smart amendment and I appreciate commissioner Fritz bringing it forward. Any further discussion?

Fritz: I am still going to be leaning heavily on commissioner Fish. It's a consolation prize.

Wheeler: Can you call the roll please on proposed amendment 6c.

Eudaly: We didn't hear anything.

Wheeler: Bill, did you have any comments?

Cunningham: You pretty how much said it all. Right now both indoor common area and housing compete for the same floor area limit, if you exempt it you are not cutting into what could be used for housing units.

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Wheeler: I think it's a great compromise. Please call the roll.

Eudaly: Happy to support this. Aye.

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

Wheeler: Love it. I vote aye. The amendment is adopted. Code amendment 7 which would allow f.a.r. Transfers between multidwelling and mixed use zones. Bill, could you describe this for us briefly?

Cunningham: The intent of this amendment is really to facilitate transfer opportunities from sites and the situation is where you could transfer development opportunity is where a site is preserving historic buildings and there's some special provisions for seismic upgrade transfers. And also you can transfer development rights for where you are preserving existing affordable housing or where you are preserving large trees. Currently, in the better housing by design recommended draft transfers are only allowed between sites in the same type of zone. There's some limit on whether you should find sites to land transfers. Multidwelling zoning is only 8% of the land area of the city mixed use zones are only 7%. So you could only transfer within, say, for multidwelling zones within that 8% of the city's land area. A thing to bear in mind, too, is with recent code amendments, any project with larger buildings subject to inclusionary housing does not qualify to receive additional development through transfers. So this kind of site the where you could land development are somewhat limited, something to be aware of, too, is the amount of transfer you could land on a site is intentionally limited in the commercial zones, you can't increase your scale by more than 30%. And that's half the amount of the inclusionary housing gives you, the intent was really to prioritize affordable housing as to what gives you greater scale. So there are some inherent limits on how much transfer you could receive. And this amendment would make it easier to find spots where it could be useful to receive some additional scale. Staff is supportive of this amendment.

Wheeler: Commissioner Hardesty. Thank you.

Hardesty: Thank you. My question has to do with, I am curious how do we allocate housing bond money for a project that is unable to build based on the current zoning of the property that they have?

Armstrong: I think that's a question for the next map amendment.

Wheeler: Why don't we ask Matt. He's right behind you. Could you reintroduce yourself for the record.

Tschabold: Matthew Tschabold, Portland housing bureau. So the bureau does not tend to commit funds to a project unless it has the zone capacity for the number of units that it's proposing.

Hardesty: But this says here bullet point two, this property is one of Portland's affordable housing bond projects and is proposed for 88 low-income units.

Armstrong: We're not on that item yet.

Eudaly: Yeah. We are on seven.

Armstrong: You got a page ahead of you.

Hardesty: I'm ahead of you. All right.

Wheeler: No reading ahead.

Hardesty: Don't leave yet.

Wheeler: That's cheating.

Hardesty: My bad.

Wheeler: Now his answer is going to be super good. Code amendment 7.

Eudaly: Does this address the issue raised by the church in northwest Portland? Great. I love it.

Wheeler: Ok. Any further discussion on code amendment 7? Call the roll, please, Karla.

Eudaly: Aye.

Fritz: Great. I love it, too. Aye.

Hardesty: I like it. Aye. [laughter]

Eudaly: Always a contrarian.

Wheeler: Always somebody trying to cut to one side or the other, isn't there? I vote aye. All right. Next up is map amendments. Map amendment m-1 which would rezone the anna mann house which we heard some testimony about, located at 1021 n., 33rd from r-5 zoning to rm 1. Bill, could you briefly describe this map amendment since we heard a good presentation on this the other day.

Cunningham: Sure. The anna mann house is a house, it's not actually a house. It was originally built as an old people's home as they used to call them. This slide shows an image of it. It looks like a grand old house but it was originally an old people's home. And it's received approval for funding through the Portland affordable housing bond project. They're proposing 88 affordable units including family housing and housing for people experienced homelessness. As you can see from the map, it's located within 100 feet of sandy boulevard. It's adjacent to multidwelling zoning towards the west. It's a three acre property, that doesn't have anything really in common with the single family zoning. It's got a very large building, large grounds. A single family zoning assumes you are break it up into multiple lots. The multidwelling zoning proposed here would facilitate the kind of use that's envisioned which is really truly a multidwelling use of that property, of that building. The property owner would like some flexibility to add, say, another building also with affordable units which would be another multidwelling type structure. The rezoning would accommodate both the existing use or the proposed use for that existing building as well as future additions and better support the preservation of that multidwelling type structure with the multidwelling zoning that's proposed in this amendment.

Hardesty: Is this the one where the back of the building is zoned differently?

Cunningham: No. This is this one large property actually receives testimony in support. I don't think anyone chimed in against it. It's very edge of laurelhurst.

Eudaly: I am so excited about this project. This property was making the rounds on facebook and many of my friends and I were trying to conspire to raise the, I don't know, \$1.1 million so we could have our own old folks home. I just, I think it couldn't go to a better use. And I am really excited that, yeah. Just thrilled about it. And i'm assuming if we do this zoning change, this development is absolutely guaranteed. Unlike some of the requests we've gotten where if we made the zoning code, the developer could have gone back and just changed their plans and done something entirely different?

Tschabold: Matt Tschabold from the housing bureau. The 88-units that are currently funded in the Portland housing bond can be delivered under the existing zoning. With this change it provides a little bit more flexibility for innovative housing. Which is the developer and they may be able to add additional units beyond the 88 units.

Eudaly: And they are an affordable housing developer

Tschabold: They are a affordable housing developer and the proposal is for 88 units. 12 permanent supportive housing units, 43 family-sized units at 28 units, sorry, 59 of the total units will be from, 60% and below, and 29 of the total units will be at 30% and below. So to be clear they could meet the 88 units under the current zoning. The zoning change gives them some more flexibility to potentially add more units to the overall site.

Hardesty: And I ask the same question I asked prematurely before. Are we in the habit of providing money from the housing bond -- you just answered it. They could do the 88. But if with the zone change they could do additional.

Tschabold: That's correct.

Hardesty: But they could also not.

Tschabold: They could also not. I imagine they will probably be looking for subsidy from us for the additional units or the state or other sources of financing. They have expressed

interest in building more units. But I'm sure they will, and I am sure they will if they manage to secure the funding.

Eudaly: You can't get the funding without the zoning change first.

Tschabold: We would not commit additional funds. One, we wouldn't commit it outside of a process but we wouldn't commit it if it wasn't zoned for the units.

Hardesty: Do you have a written contract that says 88 affordable housing units will be built?

Tschabold: It is the condition of our funding award to the, to ihi, yes. If they do not build the units they will not receive the funding.

Hardesty: Yes. But if we change the code they could come to us and do something else with it? Is that correct?

Eudaly: It is on the national historic registry. It's not like they could tear down the building and could something else.

Tschabold: That's correct.

Hardesty: And you could change it to affordable housing units with it on the historic registry?

Tschabold: Yeah. They are both rehabbing and doing some new construction on the site.

Wheeler: Map amendment M-1, Karla. You stuck it out with us this far. Please call the roll.

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

Hardesty: I don't have a lot of trust in promises but I am going to vote yes on this. But I am going to be hounding you to make sure that this, in fact, turns out the way you have told us this will turn out. Aye.

Wheeler: Well, I strongly support this map amendment because I believe it advances several priorities. I think this is a great project for the affordable housing bond. And it will provide more than 80 units of affordable housing for people who very much need an affordable place to live. And this zoning change will also forward historic preservation objectives. I think it's a great combination, I fully support this. I vote aye. Map amendment m-1 is adopted. Next up is not surprisingly map amendment m-2. Which would rezone the rear portion, you were mentioning a minute ago. This would rezone the rear portion of a property at 5631 s.e. Belmont so the entire house is in the same zone, the rm1 zone. Bill could you briefly describe this one. I think we are all pretty familiar.

Cunningham: This amendment would shift the zoning line. Most of the property is in rm 1 multidwelling zone but the last six feet of the house is not. It's in single family r5. And this amendment would shift the zoning line to the rear portion of the property so that the entire structure is in rm-1. Currently, the multidwelling zones if it's an historic property provides flexibility for nonresidential uses. You get a small event type uses in that building. But if any portion of the building is in a single family zoning zone, you cannot have that flexibility at all. So you would have to tear off the back of the house if they wanted to use the house for event space, for example. So this amendment would change that. It would streamline things so that the entire building is within the same zone. Staff supports it. Because it does promote historic preservation and there's no negative consequences in terms of equity objectives. It also has received a number of pieces of testimony from surrounding neighbors in support of the zone change. They want to really have that building succeed.

Wheeler: Bill, I have a question. Obviously I support this. But everybody seems to be enthusiastically supportive of this. Given the stated objectives. But I have a question. We're doing something unique for this particular project because it's a good project, because we have heard compelling testimony from the people bringing it forward. Because the neighbors are supportive of it. But I have got to building there are building buildings all over the city that are in the same circumstance. Or am I wrong? And if I am right, could we not come up with some code language not tonight, please, but -- [laughter] that more broadly approaches this question? Obviously we don't want to get into the ludicrous

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situation where we are telling people to rip off the back six feet of their house so they are in compliance with their zoning codes.

Cunningham: Right. Good points. There are a lot of properties that have split zoning. What is less common is that the one house is split zoned. And we typically try to avoid that situation. Because it really adds a lot of complexity.

Wheeler: Sure.

Cunningham: This house is from 1903 before we had any zoning. So the zoning line that was created happened after the building was, the house was constructed by in 1903. So it's a bit of a historic remnant. You are correct. We didn't have a big process to bring everyone in and make their request.

Wheeler: Do we believe there will be lots of these types of cases? Or do you see this really as a one-off type circumstance?

Cunningham: From what I have seen it's not very common to have a residential type structure split between zone. We try to fix that when it comes to our attention. We did that some during the comprehensive plan update. This one wasn't brought to our attention then. It seems like a relatively small thing that would promote preservation.

Wheeler: In the scheme of things I don't feel like we have been overwhelmed by these requests.

Eudaly: I was going to ask the question how this happened and the answer is weirder than imagined. That doesn't make sense. I am interested in the mayor's question. If we have a property like this with split zoning, could, and maybe this is just too simplistic because I am not an expert. But could the zoning be changed to the zone that the majority of the property is already in? Or something like that?

Cunningham: There isn't currently an easy process.

Eudaly: Never mind.

Cunningham: The zone change process to make it happen.

Wheeler: Commissioner Hardesty.

Hardesty: Thank you. It does beg the question, though. I am always uncomfortable with making exceptions for individuals for anything, right? We are a public body. We like law that everybody is supposed to be impacted by. We have had two today. And my fear is as soon as we say yes to the second one there will be other people clamoring to get their code change based on whatever. I guess I am concerned. This one just seems to be a no-brainer, right? Unless you direct the people to chop the back of their house off. If they want to do something different. But I am concerned that we are setting a precedent and the next person that comes in front of this body with another weird thing with their zoning is going to expect us to fix it right away. I would love some info. Not tonight. But later about -- excuse me. About just kind of, what's your assessment of what's out there that we should be concerned about, right? And we should be proactive about fixing rather than waiting for people to come and seek readdress at the city council? Thank you.

Eudaly: I think, number one, there aren't many opportunities for us to bring these types of things. There is a process that a property owner would typically go through to get the zoning change. But given the fact that we did this to the property after the fact, in this case, and the other case, it's a very worthwhile use or repurposing of a historic building, I think they're both worth while and very reasonable to address here.

Fritz: During the comprehensive plan we did have people from all over the city pointing out the little anomaly here and there and right up to the last hearing we had -- for the most part, you find these things, you do fix them one by one because doing some kind of blanket, let's make it the majority of the thing, there might be two different uses on a particular site that you then mess up. I would recommend we adopt this one and just keep that in mind for the future.

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Wheeler: Yeah. Good. All right. Any further discussion? Seeing none, let's call the roll. Karla, please, on map amendment m-2.

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

Wheeler: Here's how I am going to handle it. In this very narrow limited case under these exact circumstances I am prepared to support map amendment m-2. I vote aye. The amendment is adopted. Thank you, gentlemen. Next up, map amendment m-3. Which would assign the smaller scale rm 3 zone instead of rm 4 for an area of the kings hill historic district. Bill, can you briefly describe this map amendment.

Cunningham: Sure. This concerns the kings hill historic district current zoning allows a floor to area ratio of four to one. But the housing design proposed is reducing that to a three to one. And the request is to further reduce the scale to a two to one f.a.r. And then the intent is to have new development limit to do a scale that's similar to the existing historic buildings in the area. Most of which are just two to three stories and have an f.a.r. Of under two to one. Just a couple images to highlight the area we are talking about. On your screen, can you see the image here? There's an area in the dashed line is the area proposed to go down to the smaller scale rm 3 zone, two to one. The next image is showing where the zoning sequence is happening here. Currently, it's a four to one scale. It's the bottom set of images. Bhd's proposal is to reduce it some to match to the scale of the larger historic buildings in the area. This amendment would further reduce it to half the original or the existing development scale. Staff is fairly neutral about this amendment. We did have some concerns about the northeastern most property over, i'm sorry. Just the most extreme northern area. Because half of the block is in the central city that allows a four to one f.a.r. And 2/if of the area multidwelling area is a 1960s with a large surface parking lot. We did have some concern as to whether it makes sense to down scale that whole half block to two to one given that context. In general, staff is fairly neutral about this amendment.

Eudaly: I'm sorry. Where is kings hill? Northwest Portland?

Cunningham: It's just to the west of the civic stadium or actually --

Fritz: Providence park.

Cunningham: I've been around a while.

Eudaly: That's what I call it, too.

Cunningham: Very close in. The very edge of the central city. Is its location.

Eudaly: And what's the current proposal?

Cunningham: The current zoning is high density residential with a four to one f.a.r. Bhd because it's in a historic district and we did a analysis of scale reduced it somewhat to three to one. But this amendment would bring the scale down further to a two to one f.a.r. In that area. That area has a fair number of kind of large house-type structures. So the four to one f.a.r. Is substantially larger than what's there now. The overall kings hill area is pretty mixed. It includes a mix of large old houses, old apartments and some towers from the 1960s. Sometimes 12 stories.

Eudaly: What's under this heavy canopy? Is it housing or green space?

Cunningham: That is the town club. If you drive up park place up towards the zoo --

Eudaly: Oh, yes.

Cunningham: There's the town club building. There's almost a grand old house that's kind of a sense in that stretch.

Eudaly: I've been there. Only once.

Fritz: So the amendment is refined by planning to be just those blue spots, right?

Previously the request from the goose hollow was the whole area and we refined it down to avoiding the one you are concerned about.

Cunningham: The neighborhood had originally proposed to rezone that whole large block to the smaller code and that included a 12-story tower on that block. So this was scaled

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back to mostly corresponding to where there it's smaller historic structures. We're not so concerned about it because there are only a couple under utilized sites everything else is historic and would be staying as far as we imagine.

Eudaly: It's a lot of historic properties. It's fairly close to frequent transit. These are the sites that could be redeveloped. Can you give me a sense of the height difference between three to one and two to one?

Cunningham: The three to one zoning would allow 75 feet of height. That's seven stories. And the two to one would allow up to 65 feet of height which is six stories. Although it's rare with a two to one f.a.r. With a bonus you are going to max out to six stories. The diagrams are showing the two to one base is usually more of a three-story scale. And to get bigger you could through inclusionary housing --

Hardesty: Is this an area that has too much housing now?

Cunningham: The kings hill-goose hollow does have a lot of apartments. It's one of the higher density areas in the city. It has lower household incomes than the city of a whole because there are a lot of older apartment buildings that are relatively affordable.

Wheeler: I'm pretty ambivalent on this one. Why don't we call the roll unless there's any further discussion.

Eudaly: No. **Fritz:** Aye. **Hardesty:** No.

Wheeler: I'm going to go where i've gone all day on this which is to keep the flexibility. We have the historic landmarks commission, which their objective is to determine the appropriate scale for specific development proposals. And I think I will defer on that side so I vote no. The amendment fails. Next up is the minor amendments. These are the minor and technical amendments that are described in our packets. Bill, could you briefly describe these technical amendments. And then what I would like to do is, we are going to add one.

Eudaly: Oh.

Cunningham: Actually, you don't need to.

Wheeler: Don't need to. Ok.

Cunningham: And --

Wheeler: Why don't you take it from here. Tell us where you are.

Cunningham: One is a minor amendment to the minimum lot dimensions for duplexes, triplexes and fourplexes. B needs to be dropped because it was taken care of by amendment 2.

Wheeler: So b is withdrawn then. Is that correct? Or do we need to do anything else, legal counsel? It is withdrawn without objection.

Cunningham: C is about f.a.r. Transfers from tree preservation sites. Right now we didn't limit how much you can transfer but we are trying to be consistent with other transfer things where you can't transfer more than the development allowed on the site. This is just limit the amount of transfer to the development potential on the site. And d, some minor terms related to tree health. Correcting those. E is some minor paragraph numbering mistakes. And f was just to correct some zone name and code section references. This is when we rather than discussing each one in turn were suggesting that you consider it as a package.

Wheeler: Ok.

Eudaly: We're just skipping g?

Hardesty: I make a motion that we adopt amendment a, c, d, e, and f.

Eudaly: Second.

Wheeler: We have a motion for a, c, d, e, and f. B was dropped already. And we have a motion from commissioner hardesty, second from commissioner eudaly. It's on the table. Any further discussion? All right. Karla, call the vote. Call the roll.

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

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Wheeler: Aye. Minor technical amendments are adopted as a package. Does anybody have any additional amendments that they would like to put on the table this evening? All right. Before concluding, I would like to authorize staff to update the ordinance findings and exhibits to reflect the amendments. Bill, can you go over the next steps for better housing by design?

Cunningham: Sure. We will be returning on December 5th at 4:00 p.m. With the amended better housing by design ordinance and its exhibits to reflect the amendments you just approved today. And the step is necessary to really ensure that the findings and our amendments reflect the deliberations you had today. We will also be coming back at least the plan is, to come back with the companion resolution for pbot's connected center street plan which was done in conjunction with this project, to come up with new ways of getting needed street connections in places like east Portland. That would be coming before you. Also following the December 5th vote, there will be another date coming up in which you would be taking the final vote on the package. Right now we have that scheduled for December 18th at 10:30 a.m. But we will confirm that at the December 5th meeting.

Hardesty: Excuse me, mayor. Is that the same day that we are going to finally get the historic report that's on housing code?

Cunningham: I believe it's after. December 11th.

Armstrong: That's December 11th.

Hardesty: December 11th is when that's happening?

Cunningham: Yes.

Hardesty: Thank you.

Wheeler: Very good. That concludes our better housing by design conversation. It was a great conversation. We will continue the conversation on December 5th at 4:00 p.m. Time certain.

Fritz: It's not another 3-hour session.

King: Just as a reminder the record is closed and will remain closed and it's just for the purpose of voting on the findings.

Wheeler: Very good. We are adjourned.

At 5:56 p.m., Council adjourned