



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **12th DAY OF FEBRUARY, 2020** AT 9:30 A.M.

THOSE PRESENT WERE: Commissioner Hardesty, Presiding; Commissioners Hardesty and Fritz, 2. Commissioner Eudaly arrived at 9:38 a.m. and Mayor Wheeler arrived at 9:40 a.m. and presided, 4. Commissioner Fritz teleconferenced from 9:30 a.m. to 10:55 a.m., and arrived at 11:21 a.m.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Karen Moynahan, Chief Deputy City Attorney and Linly Rees, Chief Deputy City Attorney from 11:21 a.m. to 12:03 p.m.; and Dorothy Elmore and Tania Kohlman, Sergeants at Arms.

On a Y-4 roll call, the Consent Agenda was adopted.

The meeting recessed at 11:09 a.m. and reconvened at 11:21 a.m.

COMMUNICATIONS		
117	Request of Isabela Villarreal to address Council regarding participatory budgeting (Communication)	PLACED ON FILE
118	Request of Tyler Wilkins to address Council regarding participatory budgeting (Communication)	PLACED ON FILE
119	Request of Cheryl Graves to address Council regarding YES! My Life Matters 400 acre lifestyle farm (Communication)	PLACED ON FILE
120	Request of Craig Rogers to address Council regarding trust and local government (Communication)	PLACED ON FILE
121	Request of Stan Herman to address Council regarding the corner of Mississippi and Interstate (Communication)	PLACED ON FILE
TIMES CERTAIN		
122	TIME CERTAIN: 9:45 AM – Accept Stipends Taskforce Report (Report introduced by Commissioner Eudaly) 45 minutes requested Motion to accept the report: Moved by Hardesty and seconded by Eudaly. (Y-4)	ACCEPTED
123	TIME CERTAIN: 10:30 AM – Recognize 2019 Fire Prevention Poster contest winners (Presentation introduced by Commissioner Hardesty) 15 minutes requested	PLACED ON FILE

<p>124</p>	<p>TIME CERTAIN: 10:45 AM – Appoint Joy Mulumba to be available to serve on the Police Review Board for a term to expire February 10, 2023 (Report introduced by Auditor Hull Caballero) 15 minutes requested</p> <p>Motion to accept the report: Moved by Eudaly and seconded by Wheeler. (Y-3; Fritz absent)</p>	<p>CONFIRMED</p>
<p>125</p>	<p>TIME CERTAIN: 11:00 AM – Appeal of the Portland Japanese Garden against the Hearings Officer’s decision of approval with conditions limiting the Garden’s office use in the house at 369 SW Kingston Ave to four years (Previous Agenda 83; Report introduced by Mayor Wheeler; LU 19-192268 CU) 30 minutes requested</p> <p>Motion from January 30, 2020 to tentatively uphold the appeal and extend use for 10 years and adjust the findings accordingly: Moved by Fritz and seconded by Eudaly. (Y-3; N-1 Hardesty)</p>	<p>PREPARE FINDINGS FOR MARCH 4, 2020 AT 10:15 AM TIME CERTAIN</p>
<p>CONSENT AGENDA – NO DISCUSSION</p> <p>Mayor Ted Wheeler</p>		
<p>Bureau of Planning & Sustainability</p>		
<p>*126</p>	<p>Accept a grant in the amount of \$60,000 from the Oregon Department of Land Conservation and Development to support marine industrial land analysis for the Economic Opportunities Analysis Update (Ordinance) (Y-4)</p>	<p>189850</p>
<p>Office of Management and Finance</p>		
<p>*127</p>	<p>Pay property damage claim of Ben and Maja Harris in the sum of \$61,297 involving the Portland Bureau of Environmental Services (Ordinance) (Y-4)</p>	<p>189851</p>
<p>*128</p>	<p>Pay property damage claim of Nicholas Rossi in the sum of \$8,117 involving Portland Fire & Rescue (Ordinance) (Y-4)</p>	<p>189852</p>
<p>Commissioner Amanda Fritz</p>		
<p>Water Bureau</p>		
<p>129</p>	<p>Accept contract with EC Company for the construction of the Groundwater Electrical Supply Improvements as complete, release retainage and authorize final payment (Report; Contract No. 30006001) (Y-4)</p>	<p>ACCEPTED</p>
<p>130</p>	<p>Authorize a contract with the lowest responsible bidder and provide payment for the construction of the Road 10E MP 6.2 – 8.2 Project at an estimated cost of \$2,220,000 (Ordinance)</p>	<p>PASSED TO SECOND READING FEBRUARY 19, 2020 AT 9:30 AM</p>
<p>Commissioner Chloe Eudaly</p> <p>Bureau of Transportation</p>		

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<p>*131</p>	<p>Accept a grant in the amount of \$530,000 from Oregon Department of Transportation, authorize Intergovernmental Agreement for Barbur Blvd Fiber Intelligent Transportation Systems Project, SW Barbur Blvd: SW Caruthers St to SW Capitol Highway, and appropriate \$40,000 in the FY 2019-20 budget (Ordinance) (Y-4)</p>	<p>189853</p>
<p>*132</p>	<p>Authorize a contract with the lowest responsible bidder for the Lombard Pedestrian Enhancements Project (Ordinance) (Y-4)</p>	<p>189854</p>
<p>*133</p>	<p>Authorize a contract with the lowest responsible bidder for the NE 60th Alternative Pedestrian Walkway Project (Ordinance) (Y-4)</p>	<p>189855</p>
<p>REGULAR AGENDA</p> <p>Mayor Ted Wheeler</p> <p>Bureau of Environmental Services</p>		
<p>134</p>	<p>Authorize a competitive invitation to bid for digester cleaning services to be performed at the Columbia Blvd Wastewater Treatment Plant (Ordinance) 15 minutes requested</p>	<p>PASSED TO SECOND READING FEBRUARY 19, 2020 AT 9:30 AM</p>
<p>Office for Community Technology</p>		
<p>135</p>	<p>Grant a one-year temporary, revocable permit to Cellco Partnership dba Verizon Wireless for wireless communications services in the City (Second Reading Agenda 103)</p>	
<p>Motion to reconsider: Moved by Fritz and seconded by Eudaly. (Y-3; N-1 Hardesty)</p>		<p>189856 AS AMENDED</p>
<p>(Y-3; N-1 Hardesty)</p>		
<p>Office of Management and Finance</p>		
<p>*136</p>	<p>Authorize North Macadam urban renewal and redevelopment refunding bonds (Ordinance) 20 minutes requested for items 136-137 (Y-4)</p>	<p>189857</p>
<p>*137</p>	<p>Authorize Lents Town Center urban renewal and redevelopment refunding bonds (Ordinance) (Y-4)</p>	<p>189858</p>
<p>138</p>	<p>Approve findings to authorize an exemption to the competitive bidding requirements and authorize the use of the alternative contracting method of Construction Manager/General Contractor in connection with the Parklane Park Construction Project for an estimated amount of \$8,500,000 (Second Reading Agenda 105) (Y-4)</p>	<p>189859</p>
<p>Portland Housing Bureau</p>		

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*139	Amend ordinance to increase compensation for subrecipient contract with Urban League of Portland in the amount of \$107,000 for services in support of coordinated Fair Housing Enforcement (Ordinance; amend Ordinance No. 189575; amend Contract No. 32001977) 20 minutes requested (Y-4)	189860
Commissioner Chloe Eudaly Bureau of Transportation		
140	Establish a Heavy Vehicle Use Tax to fund Portland's Street Repair and Traffic Safety Program (Second Reading Agenda 114; amend Code Section 7.02.500) (Y-4)	189861
141	Extend contract with Cale America, Inc. for Multi-Space Parking Pay Stations through April 23, 2025 for continued operations, additional door upgrades, system expansion and provide for Area Permit Program online permits for \$16,164,000 for a 10-year total not to exceed \$31,039,000 (Second Reading Agenda 89; amend Contract No. 31000720) (Y-4)	189862
142	Extend contract with Central Parking System of Washington, Inc. through March 31, 2021 for Parking Garage Management Services (Second Reading Agenda 109; amend Contract No. 30001972) (Y-4)	189863

At 12:43 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **12th DAY OF FEBRUARY, 2020** 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; Linly Rees, Chief Deputy City Attorney; and Daniel Sipe and John Kizer, Sergeants at Arms.

143

TIME CERTAIN: 2:00 PM – Amend the Comprehensive Plan, Comprehensive Plan Map, Zoning Map and Title 33 Planning and Zoning to revise the Single-Dwelling Residential designations and base zones (Previous Agenda 79; Ordinance introduced by Mayor Wheeler; amend Code Title 33 and Comprehensive Plan and Zoning Maps) 3 hours requested

**CONTINUED TO
MARCH 12, 2020
AT 2:00 PM
TIME CERTAIN**

At 3:21 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **13TH DAY OF FEBRUARY 2020** 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; Naomi Sheffield, Deputy City Attorney; and Cheryl Leon-Guerrero and John Kizer, Sergeants at Arms.

144	TIME CERTAIN: 2:00 PM – Adopt the recommendations contained within the Rose Lane Project report (Resolution introduced by Commissioner Eudaly) 3 hours requested for items 144-145 Motion to clarify what we would be using traditional traffic modeling for to determine the potential treatment for phase II of the project: Moved by Eudaly and seconded by Hardesty. (Y-4) Motion to accept substitute Exhibit A: Moved by Eudaly and seconded by Hardesty. (Y-4) (Y-4)	37481 AS AMENDED
*145	Approve findings to authorize an exemption to the competitive bidding requirements and authorize the use of the alternative contracting method of Progressive Design-Build and authorize a contract for the design and construction of the Rose Lane Project, Phase II for an amount not to exceed \$10 million (Ordinance introduced by Commissioner Eudaly) (Y-4)	189864

At 5:20 p.m., Council adjourned.

MARY HULL CABALLERO
Auditor of the City of Portland

Karla Moore-Love
Digitally signed by
Karla Moore-Love
Date: 2020.07.14
11:29:50 -07'00'

By Karla Moore-Love
Clerk of the Council

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

February 12 – 13, 2020
Closed Caption File of Portland City Council Meeting

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.

February 12, 2020 **9:30 a.m.**

Hardesty: Clerk please call the roll.

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

Hardesty: As per the rules if there are no objections to commissioner Fritz participating by phone, only by council members present, that would be me, I have no objection. If the legal council will please read the rules of decorum.

Joe Walsh: You don't have a quorum. Where is the quorum?

Hardesty: I said silence. [shouting]

Walsh: You need three. Where is the three? Come on, jo ann, you and I worked on the charter.

Hardesty: I know what I'm doing. If you will keep your mouth shut I know what I'm doing.

Walsh: I want you to explain it. You got one person there. [shouting]

Hardesty: I'm going to ask you again to be quiet or ask you to leave the chamber. [shouting]

Walsh: You don't have a quorum.

Hardesty: This is the last warning.

Karen Moynahan, Chief Deputy City Attorney: Commissioner, I beg your pardon, I'm looking for rules for the telephone. May I go ahead and start the conduct during meetings?

Hardesty: Please.

Moynahan: 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 city council meetings so everyone can feel welcome, comfortable, respected and safe. To participate in meetings you may sign up in advance with the council clerk's office for communications to briefly speak about any subject. You may also sign up for public testimony on resolutions or first readings of ordinances. Your testimony should address the matter being considered at the time. If it does not you may be ruled out of order. When testifying please state your name for the record. Your address is not necessary. Please disclose if you're a lobbyist. If you're representing an organization please identify it. The presiding officer determines length of testimony. Individuals generally have three minutes to testify unless otherwise stated. When you have 30 seconds left a yellow light goes on. When your time is done a red light goes on. If you are in the audience and would like to show support for something that is said, please feel free to do a thumbs up. If you want to express 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 is subject to arrest for trespass. Thank you for helping your fellow Portlanders feel welcome, comfortable, respected and safe.

Hardesty: Thank you so much. Would you read the first communications, please.

Moore-Love: Are we good on that piece –

Hardesty: Teleconferencing?

Moore-Love: I think we need to make that one statement.

Hardesty: Now that we have a quorum.

Moynahan: May I proceed?

Hardesty: Please.

Moynahan: If a council member is participating by telephone and the meeting clerk announcements that need to be made before roll call is taken. Circumstances constituting an emergency, pursuant to pcc 3.02.025 commissioner Fritz is participating on telephone today because of personal reasons. All other members have been given an opportunity to call in. If all of the members of council are present -- I'm sorry, if other members of council are not present -- the mayor is also not visibly present but they were contacted and given an opportunity to participate by phone today. Do any of the council members physically present have any objection to commissioner Fritz participating by telephone?

Hardesty: No. Thank you so much. I apologize to the chamber for the slight insanity starting the process. Karla please read item 117.

Moore-Love: And 118 requested they come together.

Hardesty: They are coming together. Okay.

Item 117.

Item, 118.

Wheeler: While they are coming up I apologize for my tardiness. I had a meeting south of here. Took longer than I thought to get back. Thank you for your patience. Thank you, commissioner hardesty, for presiding. Good morning.

Tyler Wilkins: Just to even the playing field, thank you, mayor wheeler, council, for this time to share our working vision with you. My name is Tyler Wilkins, I'm the co-founder and advocacy director of participatory budgeting Oregon. We fiscally sponsor project in the no agenda foundation. We founded in 2018 after discovering an immense interest in bringing pb to our region from over the 100 participants who attended our participating budget community forum that was partially funded by the city of Portland. Since the forum we have engaged in a grass roots campaign where we continue to meet with electeds and staff, we've testified at council meetings and work sessions and partnered with other community based organizations where we led workshops and learned to create a shared vision of economic justice in the municipal budgeting process. I love speaking with the basis people can practice democratic self-governance with participatory budgeting community members get to decide on the rules that will govern the process and through the process community members co-create solutions to make the communities better and stronger. Pb challenges the notion that solutions should come from a top down approach. Instead it nourishes the concept of grass roots democracy with bottom up approaches which identifies people that are expert in their community. When we talk about centralizing this process and marginalized populations we are recognizing that people closest to the problem are closest to the solution. When we lead with their ideas and voices we build communities that are responsive and resilient. We're forced to see how our current structures limit participation and voices, they are hard to navigate, they are not very inviting and they carry a historical trauma. Pb is also great because it brings democracy, decision making on the ground and meets people where they are at. I understand pb has considerable start-up costs, but this is more than a capital investment in a process. It's investment in a new style of governance where people are engaged more broadly and meaningfully. To me that's worth it. It's also the beginning of building a new equitable structure that will build communities' resilience for generations to come. I appreciate you recognizing the process and appreciate your continued interests. We had good conversations with commissioners and staff and I just want to say our team will continue laying the groundwork for successful implementation and I encourage counsel to continue experimenting with participatory budgeting.

Wheeler: Thank you.

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Isabela Villareal: Good morning, my name is Isabela Villareal and I'm a youth leadership coordinator at a local nonprofit as well as being on the steering committee for participatory budgeting Oregon. At the participatory budget in Oregon we envision the state as a multi-cultural and multi racial participatory democracy that centers marginalized communities so that all of the state's diverse people know their individual and collective power. While youth engagement in pb is key to any successful municipal process I'm here to voice my support for a pb process that is centered on youth in order to allow for the clarification and prioritization of youth values. So until young people turn 18, they have no decision making power in issues that affect them most from gun violence, the climate crisis, housing, transportation, the list goes on. Young people are taught about civics in classrooms but are not given the opportunity to actually engage in civics or the chance to vote on issues that directly impact them or others around them. A youth centered participatory budgeting process strengthens high school civics programs by giving students a chance to take a meaningful step towards civic engagement while still in school. We believe those that come from the community are also the ones most equipped to create the solutions meaning students and young people know that impact of the issues they are facing the best and deserve to have an opportunity to change them as well. Pb addresses the need for youth representation by giving them decision making power within their community. Boston and long beach, california, are examples of using this pb that has been implemented on hundreds of campuses. By giving youth the power to design projects and engage their peers in their broader community we begin to not only listen but actualize the priorities young people care about which are not often represented in the traditional budgeting process. There's a huge misconception that young people don't care or if they are given decision making power over like a budget they will be frivolous with it. Time and time again this has been disproven. For example in boston students voted for fans in their schools so they could have a.c., and adding solar panels as well. I work with many students under age 18 and they are extremely passionate and literally can't wait to vote and pb is one way to actualize their civic engagement and engage their peers in a meaningful way. Thank you.

Wheeler: Commissioner Hardesty.

Hardesty: Thank you both for testifying. I'm intrigued by youth led projects especially by around budgeting. I would love to have more information about the cities who have tried this. I don't know if you have web links or if you have data that you can drop off at my office. I absolutely agree that if we get young people engaged early on they become much more informed voters when they are of age to vote. I'm intrigued by the idea and look forward to learning more.

Wheeler: Commissioner Eudaly.

Eudaly: Thanks for being here. I want to quickly say I'm also very interested in participatory budgeting. It would be an amazing thing for the Multnomah youth commission to tackle, however we don't have any funding for that currently, nor do we have a pot of money to allocate, but it's been on our wish list, and we'll be meeting I believe with members of your group if not -- yeah. Soon to talk about that. So thanks for being here.

Wheeler: I would also like to hear more about what specifically you're proposing. I have been listening to your testimony previously and I'm intrigued by it. It's a great idea. There are several on-ramps at the city of Portland for youth to get engaged and they are very engaged particularly around school safety issues and climate action. Frankly, the cohort of youth today are far more engaged than my cohort ever was at their age and they are in fact meaningfully shaping policy through the youth climate council, youth commission as you indicated, and independently through their own efforts. If there's some way to engage youth in the upcoming budget process I would certainly be very interested. We have a number of forums that we do throughout the community. To be honest, they vary in terms

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of successfulness in my opinion in terms of really engaging the broader community, and I think it would be interesting to have a youth perspective included in those discussions. So if there's some ideas --

Hardesty: I like that. What if one of our budget forums we turned over to young people to actually help them engage in a dialogue about what the choices are

Wheeler: I think that would be great to do.

Villareal: Love it.

Hardesty: You heard it here first. Come talk to us and see how we can make that work.

Wheeler: Thank you. Appreciate your testimony. The next one. 119, please.

Item 119.

Cheryl Graves: Cheryl graves, resident of Portland. I have to commend you for your composure.

Hardesty: Thank you.

Graves: So today I'm here again to talk about the yes, my life matters now there's the homeless cure, and how I plan to socially and financially support the 400 acre life-style farm. Before I begin, I would like to call attention to the importance of the plan. This plan has the capability to house and rehabilitate over 7,000 homeless and underachievers in the first five years. The only worthy plan is the harbor of hope, and they can hold up to 100 per night and up to 300 in a year. Their 1500 compared to this 7,000 plan is gigantic. If you add that we have 38,000 homeless on top of that, what we have in order right now, what we're working right now can't even house the increase let alone the existing 38,000. So obviously we're in big trouble over that. So the harbor of hope and you, the city, could adapt this plan, my life matters, so that we can assure to end homelessness and not just provide another shelter rehabilitation as well. I think that they would marry well together. As I mentioned before I'm looking for just the right groups or individuals to lead and support an end to Portland's homeless crisis. We plan to fund this project through number one business partnerships. We're not asking the city to fund it. We're just asking them to get on board and support it. Also nonprofits, individuals like Portland residents, philanthropy and foundations and Portland homeless challenge which you'll see coming up in mailings for several walks in the downtown, friendly walks about recognizing the need to really take this on head on and fix this issue. The business partners can open satellite stores within the village offering on the job training and personal and trade skills. These newly gained trade skills will become a part of the villagers' employment resumes. The nonprofits will move their offices to the yes, campus, contributing directly to the villagers. Our group yes will join existing nonprofits thus gaining strength in numbers as well as passion. Individuals can join by way of financial contribution, volunteer and employment positions. Philanthropists and foundations and people passionate about helping people in need fund raise and donate. Finally, Portland homeless challenge, the challenge is everyone who works, lives or plays downtown will be asked to gather and contact their brothers and sisters to join in in the walk against homelessness. Now how can the government help. I ask that you suspend your present efforts towards homelessness, saving millions, and shift those dollars to mental health and addiction. Those groups cannot help themselves. They need our help. By separating the mentally ill and --

Wheeler: Thank you. I actually do read your testimony. If you want to give it to Karla I'll make sure to read it.

Graves: Thank you.

Wheeler: Next up is 120, please.

Item 120.

Moore-Love: He contacted us. He's not able to make it.

Wheeler: I'm sorry to hear that. Next 121, mr. Herman.

Item 121.

Wheeler: Good morning, stan.

Stan Herman: Good morning.

Hardesty: Good morning

Herman: Actually I wasn't going to be up here anymore, I offered out the last communication but I went online and I saw my name on this so I thought I would take the opportunity to say, amanda Fritz, hardesty, I want to thank you for meeting with me. I followed some of your advice and we're going the right direction there. So what I'm passing out is a quick note. I have showed you this before. Interstate and albina lot that I have there was an old hotel located there years ago. I just want to share with you the site again for any housing needs like short-term housing for camps like the hazelnut camp or future long term affordable housing units. My share recover housing business works with you housing about 27 people. It's an amazing program. So I just wanted to pass that information on to you if you want to forward it to any of the city planners to review it and talk with me about something for the future, pass that on and I would appreciate it. Thank you for your help.

Hardesty: Thank you.

Wheeler: Thank you. Appreciate it.

Hardesty: I have to say what a difference just sitting down and having a conversation can make. You are saving your voice today so you don't have to yell at us. [laughter]

Herman: Funny seeing that picture.

Hardesty: Have a great day. Thanks for being here.

Wheeler: Have any items been pulled off consent?

Moore-Love: We've had no requests.

Wheeler: Please call the roll.

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

Wheeler: Aye. Consent agenda is adopted. First time certain 122, please.

Item 122.

Eudaly: Thank you, mayor. This morning we're going to hear a report on how city bureaus resource the Portlanders who volunteer their time and expertise to our many advisory bodies. This summer council directed the office of community and civic life, office of equity and human rights, bureau of human resources and the city's attorney's office to analyze the city's current policies and best practices for providing volunteer stipends. As many of you know, improving and diversifying ways Portlanders engage with the city and inform our decision-making is a topic of critical importance to me. There's a cost to civic engagement for community members. They give up time and money in the form of parking, child care expenses and the value of their expertise to help the city provide the best and most equitable outcomes for residents. The resources it takes to participate mean that for some critical communities the cost of participation is too high. That means that as a city we're not doing all we can to hear from the full diversity of our community, and why that matters is that when we don't understand the unique needs and challenges in our community we don't do a very good job addressing them. A stipends policy will not solve for all the barriers to serving on an advisory body but can reduce the burden and expand the number of people and perspectives informing our bureaus. First we need an understanding of what the bureaus current practices are and relevant legal statutes. This is the next important step to diversifying the perspectives and expertise that advise city bureaus and it's long overdue. I here we have the director of oehr, and ashley tjaden from civic life.

Ashley Tjaden, Office of Community and Civic Life: Good morning mayor and commissioners, my name is Ashley Tjaden I oversee the advisory bodies program. I'm going to let my colleagues introduce themselves as they speak. Our four bureaus were convened by a budget node tasking us with the stipends. Today we'll present emerging policy options, recommendations and requests to return to you in may. The city of Portland

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has more than 100 boards and commissions. I have asked around and by comparison most cities have between 20 and 30. I take this to mean we have an engaged city. If there's a topic we have a committee for it. I took on this position because council wanted to know who made up these boards, who was missing and why. At civic life we see people in the city inherently want to volunteer. On advisory boards they do multiple hour meetings in the evening, take homework, reading reports and data and represent their neighbors to influence policy and fight for those not at the table. Because of the advisory body's program we instituted a process that members announce when they financially gain from a decision, but what about the people who are there because the decisions have historically harmed them and their communities? Or who are there to reverse the impacts that continue? I recently met two young women who aged out of the foster care system, Sage and Macy. Council, we are looking how we can make sure Sage, who juggled after school sports, clubs, friends to give her valuable perspectives on the city services she uses every day. Sage and Macy run the foster youth connection a conference to develop foster youth leaders and empower them in civic engagement. I got to watch Macy in action on a state committee she serves, she travels to government offices and sits among agency experts, people with degrees and doctorates and she discusses policy. As the committee analyze data and numbers, Macy, the only young person on the committee, raised her voice to clarify the data. She shared her real world experience in foster care and how the accounting looks different in the field. Macy received the nominal stipend to reduce barriers and attend that committee. I'm thinking that's something to emulate to attract her to ours. Macy and Sage juggle school, work, internships while giving their free time to affect policy. They train and mobilize other youth in foster care to do the same. We want Macy and Sage on our boards. We want the graduates of Oregon foster youth connection on our advisory bodies and if a nominal stipend will ease their burdens then let's take that step. Our presentation will cover how an equitable approach leads to meaningful engagement, will cover legally informed practices and will present bold recommendations. I'll hand it off to Dr. Smith.

Dr Markisha Smith, Director, Office of Equity and Human Rights: Good morning. Mayor, commissioners, Markisha Smith, Dr. Markisha Smith, Director of Office of Equity and Human Rights. Now that many government structures understand the importance of community engagement and welcome feedback there's an increased need to have these voices be an important part of our decision-making process. While government values these voices we have not always thought carefully about the barriers that impede participation such as transportation, family responsibilities, hectic work schedules and more critically the emotional impacts of sharing trauma that many communities have faced because of systemic oppression and government structures. While we want to ensure the voices of historically and currently oppressed community members are driving policy and procedure we have to remove barriers to participation. Ultimately we have to invest time and resources into equity and the work on stipend is just one slice of that pie. So thinking about our community members who we are saying have been over tapped, something to think about, we acknowledge that in the past and often present the practice of including community voices manifest as sort of a check box activity or exercise. We reach out to the same individuals who willingly come to share their experiences and perspectives as a representative of their community while at the same time failing to recognize the tremendous amount of time, resources and energy that these individuals give. This giving is mostly offered without expectation of reward or gift and it's about a passion and commitment to improving conditions in their communities. It becomes our responsibility to recognize these sacrifices and respond accordingly. The stipend will provide us with this opportunity. Finally, we also want to acknowledge that bureau funding revenue resources are very different. As a leader for a small office with a large responsibility I understand the

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strain on resources that conversations such as the stipend policy can create but it's imperative we consider equity and resources and ask the question in what ways can we support bureaus and offices with not the same resources because that would be equality but rather how can we support bureaus and offices with the resources that they need in order to successfully implement this policy and that is what we mean when we think about equity in resources across bureaus and offices. So with that I will pass it to our legal team, Lory and Tony, thank you.

Wheeler: Thank you, appreciate it, and thanks for the presentation.

Hardesty: Commissioner, I have a question.

Wheeler: Commissioner hardesty.

Hardesty: Commissioner eudaly, I expect we are going to be able to ask questions of staff after the presentation?

Eudaly: Yeah.

Hardesty: Okay.

Wheeler: So no running away. Good morning.

Lory Kraut, Senior Deputy City Attorney: Good morning. I am Lory Kraut from the city attorney's office. This is tony garcia and Linh Vu, both attorneys from the attorney's office. We're here to discuss the legal implications in city council adopting a stipend policy for members of advisory bodies and commissions. We are not here to weigh in on the policy choices. So there are primarily two statutes that impact the analysis of providing stipend to volunteers. The first is the fair labor standards ac. We commonly use the acronym flsa. The second is the volunteer protection act, so I am going to talk to you about the flsa and Tony will talk about the volunteer protection act. So offering stipend to volunteers can get tricky under the flsa because the city may inadvertently convert volunteers into employees. So a volunteer must meet all of the bullet points on the slide, so their service -- sorry, excuse me. So their service has to benefit a nonprofit or a government agency, the volunteers cannot have been coerced into providing those services, the services are typically of what is generally considered to be volunteer work. Volunteers do not receive or expect to receive compensation. Their services less than full-time, and volunteers are not replacing employees. The focus of my presentation is going to be on this volunteers cannot receive compensation or expect to receive it. So the next slide, please. This is the definition under the regulations to the flsa. Again, it reiterates that the service must be for civic, charitable or humanitarian reasons without promise, expectation or receipt of compensation for services rendered. Next slide, please. So under the flsa, the city may provide the following to volunteers. We can reimburse the actual expenses, so if someone took an uber to the meeting, we can reimburse that. Reasonable benefits might be providing food, providing childcare, providing a bus voucher or something of that sort, and the language of the statute says, and a nominal fee that's what we're referring to as stipend, but it has to be nominal. So if you go to the next slide, please.

Wheeler: Commissioner hardesty.

Hardesty: Thank you, mayor. Is there a definition of nominal?

Kraut: There is not, but there is a safe harbor, so I will get to that. All right, so what constitutes a nominal stipend? So number one, it cannot be a substitute for compensation. Number two, it cannot be tied to productivity, and number three, it complies with what the department of labor calls the 20% rule. So, if the stipend is at or below 20% of the prevailing wage for that job, the stipend will automatically be, will not be considered compensation, and the volunteer will retain that status. Tony.

Tony Garcia, Deputy City Attorney: Good morning, again, I am Tony Garcia from the city attorney's office, and I am going to talk to you about the volunteer protection act and the Oregon tort claims act. Those are referred to with acronyms, as well, the vpa and the otca. So under the volunteer protection act, that is a federal liability protection for volunteers.

That will cover board members and volunteers that serve the city. You will find more in-depth information on pages six and seven of your report. And the volunteer protection act is important because it is broader and would provide greater coverage than the Oregon tort claims act. So if we look at the volunteer protection act, there is a limit of 500 that a volunteer can receive in order to maintain their status under the vpa, and that \$500 is not only monetary compensation, but also, going to include any benefits that they receive. So that will be parking, transportation, childcare, food, and etc., and under the Oregon tort claims act, if we were to go above the \$500 in benefits, the volunteers would be left with having to obtain coverage for liability protection under the otca. And under that, a court would apply a test to determine whether the volunteer was acting as an agent for the city. So again, the vpa will provide greater protection because they are volunteering, and they maintain that status as long as they stay under the \$500, and in terms of the legal risk, not paying volunteer stipend has the least amount of risk, but if city council chooses to pay nominal stipend, there appears to be a legal path forward, although the pathway is more complicated and does involve risk. We can look to the flsa, the vpa, and the otca as guide posts for use in making the decisions if the council chooses to move forward with providing the stipends.

Eudaly: I have a question.

Wheeler: Commissioner eudaly.

Eudaly: So it's my understanding the \$500 limit from the volunteer protection act would include everything. Food, transportation, childcare, and stipend. Is that correct?

Garcia: That's correct.

Eudaly: However, under reimbursement of expenses it says in addition to nominal stipend, the city may reimburse the volunteers, so that reimbursement can't be in addition to \$500, it has to fall under that \$500 cap?

Garcia: So that's, because there are two different issues at play, so the reimbursement, test and the bpa is different.

Eudaly: But everything has to fall under the \$500 cap is what I am trying to --

Garcia: If we want to stay with the vpa.

Eudaly: I think we do. And the 20% rule was a new one to me, and that is interesting. Little hard to quantify what the pay would be since these are not jobs, but, it seems that we could go with at least the minimum pay of \$15 an hour and 20% of that. We don't have any jobs that we can compare these volunteer rules to, to set a wage.

Kraut: I think that we might have to look at this a bit more in terms of trying to work with bhr to figure out, is there a job classification that really might fit within this -- the scope of the work? And figure out what is that wage and figure out the 20% of that, but, I would assume 15% would cause no trouble at all.

Eudaly: 15%.

Kraut: 20%.

Eudaly: So that is a \$3 an hour stipend?

Kraut: I am saying, I think there may be a path where we could figure out what would be an appropriate job alternatively if there is no job in the city that fits what the members are doing, we are then allowed under the 20% rule to look at the market and still do 20% of that wage.

Eudaly: Great, thank you.

Garcia: We have some more presenters from our group.

Wheeler: Very good.

Tjaden: So you are noticing we are outnumbered by the lawyers. They got their own panel. I once wanted to go to law school but I thought after the stipend task force, I might as well jump straight to the bar. So our initial recommendation, developing a process, I recently -- okay, thank you. I recently met with Peggy Morales of metro, and she did a

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happy dance because she's been spending the greater part of three years in the majority of her role trying to roll out their stipend policy, which is evolving, and I understand that they are working on a pilot project, as well. She commended us for starting with our legal counsel because they were important for us to understand what our restrictions were and to prevent us from going down a path with the community and making promises that we cannot fulfill. So our recommendation is that from here forward, we would develop the process based on the next one, is asking you to base the stipend on the information that you have received. You have learned that we can go above what they can be protected under the liability for, but that comes with some risk. So we ask that you set the basis for the stipend as we proceed forward in looking at this process, and finally, you have gotten information about what would be included in that stipend, so our recommendation is that we track and report what benefits are being received. We know that we have members that serve on multiple committees, and so reasonably so if they are being offered a requesting, a stipend on more than one committee it's our responsibility to keep track of that, and if they go above a certain limit, to do accurate reporting of that.

Wheeler: Commissioner Hardesty.

Hardesty: Thank you, mayor. I have a question, so not everybody who serves on the 100 plus boards and commissions needs a stipend. And so I would not want to set up a process where we would just automatically pay people for the privilege of volunteering with us. What are your recommendations as it relates to because what I think that you are trying to do is reach untraditional participants, and support their ability to, actually, bring their full selves to a volunteer opportunity. I guess that I should have asked the lawyers this, but what is your plan around like around offering it in a way that we are making sure that a, we are not making it uncomfortable for people to ask for it, but we are making it clear that people who don't need it, should thank us but say no thank you so that we have those funds for people who need it. Is there going to be a process as we roll this out, that we are mindful of how this is playing out?

Tjaden: Thank you for your question. I am going to pass it off to the director Suk Rhee who has that in our next portion of our initial recommendation.

Suk Rhee, Director, Office of Community and Civic: If we advance the slide you will see the eligibility and priorities is a question that we have explored and also asked of council.

Wheeler: Why don't we do this, why don't you -- I have a lot of the same questions, commissioner Hardesty is raising, but rather than interrupt the flow, why don't you finish the presentation and we will write our questions down and have you come back up.

Rhee: We are 4/5 of the way there.

Wheeler: Very good.

Rhee: Good morning, my name is Suk Rhee I serve as director for the office of community and civic life, and I am going to talk about three additional recommendations, a one-year pilot, eligible and priorities and also a stipend fund as Dr. Smith was referring to, to get to more equity between bureaus. The one-year pilot, we know that the need is clear, it's long overdue, and we have a yes we can orientation to this, and there are pathways to build, and in order to equip ourselves for success, let's take it in a stage approach where we set the foundation, and actually can proceed with the confidence and with the community and with bureaus, so in the one-year pilot, thank you for the feedback during our conversations with council, we would like to set up the process, develop the shared tools and tracking, and we absolutely will identify issues and implementation, and that are going to be different than what we have projected in our planning today, and so that includes setting the basis of the fund amount, gathering the requests for stipend, tracking all bureaus, developing the tools and mechanisms to do that, creating and testing educational guidelines, and volunteer advisory bureau members should be informed they need

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information to participate or to decline or otherwise, and so we feel a one-year pilot will help us to establish those important things. Secondly, eligibility and priorities. Here we are going to share with you some of the eligibility priorities that we set forth as the initial recommendations but the most important part is presentation, we need to keep in mind, as we set the priorities, so that they do not indiscriminately, I mean, inadvertently discriminate, especially to protect a status, so later on when we ask you the question specifically, council's thoughts on eligibility and priorities, we're going to do that with the caveat that all of them need to be reviewed by legal counsel. So, our baseline recommendation is that any volunteer, advisory board member who was not compensated by another body is eligible. That's a baseline recommendation, but that there are also priorities, so limited resources can help set priorities. Some bureaus may not have, even if they have revenue they may not have sources of funding to allow them to use it for this purpose, so there might be -- we are also recommending that council may set additional eligible and priorities and that the bureaus can further set them unique to their situation, they could include, for example, people who do not have bus passes from work or school, people who experienced homelessness or houselessness and people who do not have flexible work schedules. Those are a consideration that, actually, would not discriminate against any protected class, so there are ways to set those priorities as commissioner Hardesty has indicated, and we would like to hear how you would like to set them. And then council could also set priorities for all advisory bodies that supersede the bureau considerations, for example, you could set the priorities for only advisory bodies that report to council, or advisory bodies, specific areas of work like houselessness. Especially in the initial year. And then lastly I am going to speak to the stipend fund, as we mentioned before, even if you have revenue, it might not be -- this might not be an eligible use without revenue, and in many cases people will not have resources in their budget to provide the stipend in addition to the attendance supports they might provide for, for volunteers. General fund bureaus and offices have generally one to four advisory bodies, and typically the staff who work on them have several roles, and let me see, and also we feel like a fund that is a citywide fund for bureaus to access, also, helps to curtail the inaccurate impression, the sum advisory bodies work are more important than others. And I will turn it over to my colleague, Tom, to talk about the budget considerations.

Tom Schneider, Bureau of Human Resources: Good morning, mayor and council. My name is Tom Schneider, I am with the bureau of human resources. The purpose for this section is just to give a high level view of what the potential budget impact is of the citywide stipend program. Ultimately, what that looks like will be your discretion to help guide and determine what level we are proceeding with. So in terms of the overall -- one of the -- in terms of the budget considerations, we wanted to provide some context there. Based upon the information that we have, there is 4,000 advisory body positions citywide. It is a large number of individuals actively participating in the advisory bodies. As we discussed earlier, the total value of the stipend included all reimbursements to an individual such as a nominal stipend, food and transportation, and that's what we would recommend being included in that total dollar amount. What's important to note is that some bureaus already have budgeted for and provided food to some advisory boards, so there is existing money that's currently being spent on this activity. In terms of the legal constraints, Suk have identified, or had mentioned the restrictions on the specific -- the bureau-specific funds in support of stipend. There may be sources of revenue such as grants for a particular program that has -- have the language associated with it. That prohibits the use of those funds for stipend. So that's something that we would have to work through, and in fact, the citywide stipend fund may have the opportunity to assist in providing stipend to areas that may not otherwise be able to afford that. We are in the process of the office of equity and community life, sorry, the office of community and civic

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life, of trying to gather more information about advisory bodies and some of the characteristics around the stipend currently being offered, so there should be more information forthcoming that can help formulate some of the thinking around the overall, what the stipend framework looks like. Moving onto the components of the stipend budget, there is essentially two main components which we have talked about, each of the members of the, of the work has talked to. One is the actual stipend fund. What's important to note and we are certainly not necessarily Advocating this, but just so you know for context, if we have 5\$00 maximum stipend to the citywide advisory members, the total cost would be \$2 million a year, and that's just the total universe of the advisory board members. And certainly, it's at council's discretion to set that at some point below that, as well as look at other ways of targeting the areas with higher needs in terms of the providing of the goals that we are looking for through a stipend program. What's also important to note is that a portion of the city's total stipend costs are related to non-general fund bureaus, although we don't have the breakdown, and we are in the process of gathering more information around that, right now, 49% of regular city employees are currently working for general fund bureaus, that gives you an estimate of what the cost would be in relation to the general fund. Resources, the second component of the site, of the stipend budget is resources for operational support. Ashley talked about monitoring and tracking and basically what we would be looking for is dedicated staff to administer a program to some resources, to engage in the stakeholder feedback through the focus groups facilitated groups, time and materials for initial and ongoing training of the city staff, as well as the volunteers, software to manage a stipend program, and just related office equipment costs and other overhead related to administering the program.

Wheeler: Commissioner hardesty.

Hardesty: I am sorry, are you -- I had a question but I will wait. I am sorry, the mayor did ask us to wait.

Schneider: That is the prepared marks that I have for these two slides.

Tjaden: Last slide.

Rhee: Finally the questions we have for council are on this last slide around stipend, should we stipend limit priorities and the citywide fund, and I wanted to mention where we are in the process, today we're asking for any and all of your considerations for us to review further and to add or to eliminate the options that we need to bring back to you, we are proposing to do that in may after then, taking this framework and the same set of questions to the bureaus, advisory committees, and the communities, we have not had in the six months that the budget note was delivered to us, have not had the opportunity to do that, and we feel that's critical, and so today we are not asking you for decision, we are asking you for your priorities, considerations, etc., they will need to be further reviewed legally, and the financial considerations are all weighing on us, so we are not actually making a budget request for you today.

Wheeler: Commissioner hardesty.

Hardesty: Thank you, mayor and thank you all for the presentation. So my first thought is whether or not the 100 plus advisory committees are effective, if we are getting the outcomes that we want from them, and if we are not, why would we fund committees that are not actually giving us the outcome that we want. I can think of committees that on paper they still exist but have been around for 10 and 15 years, and nothing happens, right. So, those kind of oversight boards I would have no interest in funding in action. And so I think that the question becomes how do we, as a, as the electeds, figure out how we get value for the investment that we are making, and I am concerned that if most municipalities have 20 some, and we have a hundred, do we have too many advisory boards that really are just advisory boards and name and really aren't adding value to the city's operation. You know, that was not your task. That was not what the budget notes

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said, but I can't help but to ask that question when I realize the magnitude of folks who are at least on paper are providing input to the city. So, I guess my question would be, before I could decide like even actually start thinking about what does this look like, I would want to know that we are actually investing in the committees that are really giving the city information that we need, and I would like to disband the ones that have been around forever, and no longer serve a purpose.

Wheeler: Commissioner Fritz has a question.

Fritz: Thank you, mayor. Can you hear me okay?

Wheeler: Yes.

Fritz: First of all, thank you very much to commissioner eudaly and the director Rhee and Ashley Tjaden for your work on this. It's an important discussion. And especially to Tony Garcia, Linh vu and Lory Kraut in the city attorney's office, definitely something that we want to be very careful about continuing to protect our volunteers from lawsuits I am very concerned. We don't have a million dollars -- well, we don't have much money to spare at all in the next budget. So, I am concerned that we may be setting up an expectation of being able to move forward with this when we all know that we have a very constrained budget. Second of all, our boards and commissions don't routinely provide even basic support like transportation assistance, childcare, and etc and I think we should have a discussion about is that more important or is that equally as important for providing opportunities to the people as well as a stipend, which is going to have to be fairly nominal by law. I was concerned about the statement that 49% of the employees work for general fund, implying 49% of the volunteers are in general fund. I think that it's much higher than that. We don't have many boards and commissions in the utilities or in the office of management and finance, the auditor's office as the ones that are overhead funded or have other sources of funding, so I think that the bottom line is I appreciate all the work that's been done. I am wondering is it wise to continue moving forward on this? Before we have the budget the discussion?

Rhee: I don't know if that's a question you want me to ask but this is valuable feedback because we do not have that inventory. We have an approximate inventory of the existence of the advisory body and its been challenged cause we cannot compel, it's a voluntary reporting at this time so we do not have that information. I have a bit of deja vu from yesterday's 3-1-1 session, is that we don't have the data that we need, and we don't have that culture throughout the city of accountability and tracking, and that said, that work that commissioner Fritz asked for, can we attempt to do an inventory of the support and the existing investments we're making, and whether that's a citywide practice. I think that is good work that can come next, and I noted that, and also commissioner hardesty when you said, is effectiveness a way to set the priorities? And that's another body of work until we can define and make the judgments around effectiveness, but that also is a priority setting exercise that we could actually undertake in the next phase.

Hardesty: And I want to be clear, what I mean is, is the committee fulfillment charged, right? We have some committees that I know that have been on the books for 10 or 15 years and they are not doing anything. Right. And it would be really helpful for us to have some kind of -- I don't know, is there a place to go and look at where the boards and commissions are? Is there a one-stop place to do that?

Tjaden: So the boards and committee website -- we can send a link, there is a list of boards that we know about. Whether or not they are fulfilling their charge, the program was established to start asking boards to state what their charge is and scope is, and one question that we have remaining is whether there is neutrality in us wanting to conceive that advice and feedback, for many of the staff working with these boards and commissions, the answer is yes, we want to continue receiving that. The question we have

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for council is who is the authority to decide whether this is useful feedback, and we are getting what we need.

Hardesty: I just want to say, I want to be clear that I absolutely support removing barriers for folks to be able to fully participate in our boards and commissions, and what we know is that if we don't provide food and childcare and transportation assistance, that we cannot get lower income people to come and fully participate. If you are worried about what's happening with your child or where you are going to get dinner, you cannot fully participate in a meeting, right. So I have been a strong champion forever that we have to find a way to help people when we keep asking them over and over to provide assistance. I wish that I had a great answer and say, if you do this, and this, we will figure it out. I think that we have to keep talking about what the values are that are leading this conversation, what the limits are based on what our resources are and the processes that we have in place, and three, how do we start off prioritizing those who are in the most need, right. For me those are the top ones but I am committed, and I think this is the right thing to do, especially because we go out over and over and over again trying to recruit the same people. So, I am onboard. I just have to figure out how we do this in a way that doesn't break the bank and helps us to help people be able to participate.

Wheeler: Commissioner eudaly --

Hardesty: And I am sorry, thank you very much, excellent work, I really appreciate the detailed work. Commissioner eudaly.

Eudaly: So commissioner hardesty brings up a good point, we need to determine the universe of these boards and commissions, and whether or not their work is still vital. Those are two separate processes for the sake of this conversation, I think we have to assume the answer is yes, but we don't have to finalize the decision and begin a program until we have completed that other process of determining what bodies we want to preserve. So for the sake of this conversation I will assume that everybody's contribution is important and wanted and that we want to honor the time and effort that people put into volunteering for the city. I think the number would you please question for me is I would need a, an accounting of the existing budgets in these individual bureaus for this kind of support. We don't have to assume, we have to find brand new additional money. There is already resources being allocated to this. Where is it, how much is it. Two, there is obvious criteria for dramatically reducing who would qualify for a stipend, and number one, that would obviously be anyone who is being paid to serve on a committee. We have many professionals who serve on committees. It's part of their job, they don't need a stipend. We have committees that are made up of highly paid professionals. They don't need stipend. Stipends are about reducing the barriers, to individuals who represent underserved communities.

Lightning: Minimum wage.

Wheeler: Please do not shout.

Eudaly: Whether that's black indigenous or people of color.

Wheeler: Excuse me, please do not interrupt. You heard the rules. You know the rules. Please do not interrupt.

Lightning: It is in violation of state and federal laws -- of state and Federal laws. Unbelievable, where has the money been going and who has it been going to:

Wheeler: Everybody -- everybody listens to you when you testify, you can extend the courtesy. Sorry commissioner Eudaly you can go ahead.

Eudaly: I will wait for the disruption to subside. I think it has. I think that there is some other obvious criteria that we could just ask people to attest to. I don't want the supports to be difficult to access. I don't want people to be made to feel uncomfortable or guilty for needing them, but I think that there is obvious criteria, are you housing cost burdened, do you live in affordable house, do you qualify for food stamps, are you homeless -- are just a

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few off the top of my head, that I think would be very reasonable criteria for receiving type stipends. Now I lost track of the five questions that you wanted us -- okay. You wanted feedback from council. Yes, I think that we should offer a nominal stipend with constraints following the process that we are talking about to determine what boards, commissions, and committees we want to preserve, yes, I think that we should limit the stipend to \$500 a year because it becomes incredibly complicated and puts volunteers at risk if we go above that. We should have eligibility framework based on income and need. The citywide fund question, I think we will need more time and information but the first step towards that would be how much are we already allocating to these funds.

Wheeler: First of all I have so feedback from a value-based perspective this is good. The question I think you are trying to answer is how do we get people who have barriers to participation, to participate. So, we are all in philosophical agreement. Here's where I start to diverge from what I am hearing today. I don't know yet that offering a stipend is the answer to the problem, and I am not sure that we have asked the question yet. Have we gone out into the community and spoken to people who do not participate but who would like to participate, and ask them, what do they need in order to have the barriers reduced. I am persuaded by what commissioner hardesty said. What I hear from people is I do it, except I have a small child. You don't provide childcare. I can't afford childcare. If you were in a place where childcare was provided, then I could. And we do that for our budget work and for our other meetings that we have had where we provide -- when we did our public safety meeting the other day, we had a childcare. Professional there to help take, so people who had kids could come. For others they are going to say, it's transportation related to that. If you hold the meeting at city hall and I live on 162nd and you want me at city hall at 5:00 p.m., I am out. So maybe it's about where we hold our meetings and how frequently that we go out of the building and go to the community where people actually are. I would want to interview the people or poll the people who currently serve on the boards and commissions. What do they think or need? What is successful and isn't successful? When we get to the one-year pilot, the question that I have is, how do you define success? Do we know the answer do that? What's the metric by which we measure success at the end of the pilot?

Rhee: Depending on some of the feedback we are receiving today, that's how we would then be able to adjust that, but yes, that is not something that we could answer for you until we have some of these questions.

Wheeler: So my gut reaction is the metric would have to somehow encompass people, the number of people or the percentage of people participating who will not have participated but for whatever the solution is we are offering, and the idea of the stipend feels like a blunt instrument. I disagree that you could means test this. If you are trying to reach people who may -- I will give you just sort of an obvious example. If you are here as a first generation immigrant, the idea of turning over your income and home address and other personal information might actually dissuade you from participating in a public process. So I think that philosophically we are all on the right track. I just don't -- I am not persuaded that a stipend is the right solution for this. Number two, I agree with commissioner hardesty. I am still not convinced that we have it right when it comes to community engagement. We have a lot of boards and commissions. We hear from some -- many are extremely effective and people dedicate time, talent, and energy and to those commissions, and other commissions, we don't really hear from, and we don't really have clear understanding, and in some cases they are advising our bureau directors and leadership and so we are one off from that, and but before we jump to the answer of a stipend will fix the problem, I think that we need to define the problem, and I think we need to talk to the community, I think we need to talk to people on the boards and commissions, and come back with a more refined understanding of what the problem is that we are trying

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to solve, and then put some metrics out here that would help us to define what success looks like, and I am not there yet, so what I would like to encourage, and I don't want to stop the work. I think that you are on the right path. I would encourage us at a later date to have a work session, take this information that we are all throwing in the middle of the table and go off and come back with the work session with maybe a more refined set of next steps, and last but not least I have to put it on the record, in my notes here it looks like the cost is somewhere between \$1 million and \$2 million per year. I just want to reiterate what commissioner Fritz said, which is for the next year's operating budget, we only have \$100,000 in additional ongoing funding, so right off the bat we would make a promise that we cannot fulfill today and I don't want to set up that false expectation in the minds of anyone. We might have to be smarter about this in terms of how we go about it.

Commissioner eudaly.

Eudaly: I heard you say we should provide on-site childcare for all the boards and committees.

Wheeler: I didn't say that. I want to be very clear. I am not saying that. I am saying that we should evaluate the boards -- we have over 100 boards and commissions. Some of them may be we do and some of them may be we don't and maybe alternatively is going out into the community and having our meeting closer to where people live. We're trying to paint with a very broad brush and I'm not convinced the problem is a broad brush problem, maybe it's supporting community organizations that work with front line communities.

Eudaly: Right, and that brings me to one of the points that I want to make. Reducing barriers to participation by offering stipend for things like childcare and transportation or providing food, are best practices, and they are proven methods of reducing the barriers and supporting participation. That's not in question. I have done this work for over a decade, and it's really the least that we can do and the most basic thing that we can do, and it's not the only thing that we are doing. Through civic life, every day, we work with the communities you are referring to, to build capacity in the communities for greater participation, engagement and leadership. Sure, I would love city hall to have the east side satellite office or hold these meetings on the east side. That's achievable. When I suggested that there be some criteria, I was very clear that I wanted the opting in to be extremely low barrier. No one is going to have to prove their income. We are going to assume the best of everyone who is volunteering their time, that they are going to be honest. We are not going to put them in any kind of uncomfortable or precarious position having to share personal information, and you know, my measure of success is that people who are already volunteering and maybe struggling to show up or showing up more often, our boards and commissions are more diverse than they currently are, and that we are getting more input from the communities that we are trying to reach. As far as the budget, like I said, there is already money allocated in many bureaus for this kind of work, so the first question to answer is how much is already there, how is it being spent, can we use it more efficiently, and is there existing, additional resources within the bureaus. We are not coming and asking for an additional \$1 million to \$2 million of ongoing funds, that's not what's happening.

Wheeler: Thank you, and commissioner Fritz has a question. Then commissioner hardesty.

Fritz: I have a comment, I agree with the mayor, that we should have a work session on this. I think it's, it's an interesting discussion and a very important one. And there are just, I think, I was going to be hard to be able to give direction to the staff in a meeting today. Second of all, I have taken it, as my responsibility as the commissioner in charge of every bureau that I've been in to help make sure that the boards and commissions become more representative of the community, and also, to change the ones that are not working as well. And I, actually, know that there is one in the water bureau that hasn't met for years

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and years, and I will take responsibility for bringing that to the council because it's mentioned in the code, so we'll have to do a code change in order to get it off the books. I do think that civic life staff are welcome to ask me, and I am sure my colleagues on the council, about the different boards and commissions within our bureaus because I certainly know who serves on each of them and have worked to make sure that they are as supportive as possible.

Wheeler: Commissioner Hardesty.

Hardesty: Thank you, commissioner Fritz, and mayor. I appreciate the comments that folks are making, but I want to be clear. I don't think that there is any confusion that we are over tapping people with limited resources. There is no -- there is no -- there is no wondering about whether or not when we ask lower income people to volunteer their time, whether or not it cost them significantly more than it cost professional people. There is no question about that. The question is, how do we do this in a way that is equitable and that prioritizes the people who have the biggest needs? And we may add the people that we desperately need to hear from. I would love the lawyers to come back and ask me one or all three, and, or to answer the question about whether or not we could set up criteria that prioritizes the people based on economic status and based on the need of the work group, right, and so you know, it's not -- it's about whether or not -- and I don't want, as commissioner Eudaly said, to actually have people have to go through a means test. People are very straightforward where you are one-on-one recruiting them. They will tell you what their barriers are, and if we are not ready to respond to them, we lose them. Is there any feedback from our legal eagles to tell us whether or not that we could legally set up a process whereby we would have criteria, which meant everybody would not be entitled to it? Could we write it narrow enough that the people we were trying to engage would be the ones who would be the priority?

Wheeler: I want to say before you answer, commissioner Hardesty's, a very good question, this is, obviously, really important and interesting, and we could talk about this for another three hours, we do not have the time today, so after this, I will ask for -- I am jumping the gun but I don't think that we are going to have any problem with the report being accepted today and moving onto the next steps and continuing the conversation.

Linh Vu, Deputy City Attorney: Thank you, mayor and commissioners, I am Linh Vu, a deputy city attorney, and I appreciate the question and it is a question that came up during our task force discussions. What I can't say today is that we have discussed it, and I think that we need to look at it very, very thoroughly, and we can get back to you with an answer.

Hardesty: Appreciate that.

Wheeler: Thank you.

Hardesty: I move the report.

Eudaly: Second.

Wheeler: We have a motion from commissioner Hardesty, a second from commissioner Eudaly. Please call the roll.

Fritz: Thank you very much. That was a really interesting presentation and discussion, and again, thank you to commissioner Eudaly, and Ashley Tjaden in civic life for leading this. Thank you, Dr. Markisha Smith in the office of equity and human rights. The legal counsel, Tony Garcia, Linh Vu and Lori Kraut, as well as Tom Schneider for the budget guidance and Cathy Bless in the bureau of human resources, who was involved in the process. I think that there are many questions still to be discussed, and I support the mayor's office recommendation for a work session rather than trying to do that on the fly today. Some of the things to talk about are should there be a flat rate or one suggested based on the frequency of meeting. The stipend limit. How do we calculate the cost of what the value of the benefits like transportation and etc., and when you calculated that in, does that make

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the stipend almost not worth doing. Do we allow the bureaus to set additional priorities and eligibility? And should there be a citywide fund so that the different bureaus are not at different levels of being able to do this? Those are some of the things that I am concerned about and I look forward to the work session. Aye. By the way, I am leaving to come downtown, so I am, at this point, signing off and I will be back -- I will be in council chambers in half an hour.

Wheeler: Thank you, commissioner.

Hardesty: I think that this is great work. This is something that's new and dear to my heart. I have a value of making sure that we support our volunteers, and I look forward to the work session, and what comes next. I vote aye.

Eudaly: Thank you for the Report. I am also very supportive of the idea of a work session. I think some important questions have been raised today. I do want to assert that I think that our current approach, which is very piecemeal, inconsistent across bureaus, dependent on the leadership and commissioners in charge, is not adequate. So whatever we do I hope moving forward we have a system that is consistent and equitable. I vote aye.

Wheeler: This is a fantastic conversation today, and I actually am really looking forward to continuing it. I agree with something commissioner eudaly just said that's really important, which is we really don't have a standardized platform for community engagement, and I think that's where some of the messiness is can go through, so I appreciate your efforts, commissioner eudaly to, try and rationalize and standardize this approach. I appreciate the work our legal team is doing, director Rhee thank you for your continued efforts on this, and dr. Smith, as always, thank you for your fantastic leadership, and contributions to this effort. I think I put all my questions on the table. I look forward to having those questions and concerns answered. I look forward to continuing this conversation. It's a good one and important one. I vote aye. The report is accepted. [gavel pounded] next item is number 123. This one looks good, look at this. All right.

Item 123.

Wheeler: Commissioner hardesty.

Hardesty: Thank you, mayor. The goal of Portland fire and rescue prevention division, I think that there is some disagreement in the audience, but we will see.

Wheeler: One second. Could you hang that up? There we go, thanks. Sorry.

Hardesty: No worries. Good morning, colleagues. The goal of Portland fire and rescue prevention division is to save lives, property, and the environment by preventing fires before they start. What cutie, huh. The prevention division works to reduce the frequency and severity of the fires and other life-saving incidents through a multi-disciplinary approach that includes education, engineering, and enforcement, the prevention, public education team offers targeted community outreach programs that are developed and implemented through our local schools, community organizations, and events and fire stations. To share some information about this year's fire prevention poster contest is chief Sara Boone. Welcome and your team. Welcome.

Sara Boone. Chief, Portland Fire and Rescue: Thank you, commissioner. Thank you, mayor wheeler, commissioner eudaly, commissioner hardesty. Thank you for this opportunity. My name is Sara Boone, chief, Portland fire and rescue, And I want to acknowledge our division chief, fire marshal Anjenette Jackson, as well as our public education supervisor and manager, kim.

Wheeler: Good morning.

Eudaly: Good to see you. [laughter]

Boone: This past October, during fire prevention week, Portland area school children were invited to participate in the fire prevention poster contest. The contest helps to spread the word on critical fire safety messages and encourages fire safety in the home, the school,

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and the community. The top three winners from each of the three age categories were selected by the pub-ed team as well as myself. For their creativity, and for the fire prevention message. Portland fire and rescue wishes to recognize and congratulate the three grand prize winners. We will have each of them come up. The first winner, nauly recano. [applause] five years old. [laughter] nauly is kindergarten. Five years old, and from the kairos school. Second is chloe shaw, a third grade student from Kairos pdx. [applause] **Wheeler:** That's fantastic. Excellent and she is with kairos, pdx?

Boone: Yes.

Wheeler: Excellent. [applause]

Boone: And our third is braden williams, eighth grade student at da vinci middle school. [applause] So I just want to thank the fire prevention public education team. It's a small group, but it's a mighty group, and they do very important work outreaching to the community, to the schools, to young kids, and when it comes to the fire safety message, a lot of these young kids are able to put it into art. So this is a great experience.

Hardesty: We appreciate you being here, sparky, and the whole team. We would love to have a picture with the award winners if that's possible and the families, yes?

*****: Thank you. Congratulations. [applause]

*****: Thank you.

Wheeler: Karla, next is item 124, and if people don't mind we're going to take a three-minute break after 124 we might have too, I think commissioner Fritz is on her way too. 124, please.

Item 124.

This is an appointment by the auditor and we have representatives from the auditor's team. Greetings.

Ross Caldwell, Director, Independent Police Review Office of the City Auditor: Thank you. Good morning. Good morning, mr. Mayor, members of council, my name is ross caldwell, director of independent police review.

Irene Konev, Office of the City Auditor: Irene Konev, the community outreach coordinator for independent police review.

Caldwell: We're here to forward the auditor's recommendation for a new volunteer to serve on the police review board. As you know the prb serves as an advisory body to the police commissioner, the chief. They hear serious disciplinary cases involving police officers and review all officer-involved shootings and in-custody deaths and make policy and training recommendations. The auditor's office serves as the body that does the recruitment and outreach. We had 29 people, a very diverse pool due to the efforts of ms. Konev here. With that I would conclude my remarks and forward our recommendation for joy Mulumba to join the volunteers of the prb.

Wheeler: Could you tell us a little bit about the nominee.

Caldwell: We have his bio here, which I think should be in your materials.

Wheeler: I have read it. I just want to make sure it's on the record.

Caldwell: Yeah. I believe -- am I missing it? He received his master of art in english from Portland state university. He's worked as a nurse assistant in different departments at ohsu and providence hospital for eight years. He currently serves the African American refugee families in Portland through a nonprofit and works at the library. When he's not reading, writing or spending time with family he can be found on the mats learning the gentle art of Brazilian jiu jitsu. His words, not mine.

Wheeler: Commissioner Hardesty.

Hardesty: How many community members currently serve on this committee?

Caldwell: He will be the 15th prb volunteer that we have.

Hardesty: Have we done any revision to the process? My understanding is that the last oir group report had some very specific recommendations on how to strengthen the police

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review board, and I haven't seen any of those recommendations come in front of us again. I'm concerned that we're asking people to a board that needs to be fundamentally changed, so why would we be adding people before we actually made the systemic changes that have been recommended?

Caldwell: My understanding is that no recommendations from the most recent oir report last year have been taken into account or have been changed. Not since the last oir report, I believe.

Hardesty: If it has it's not been presented to council so we know the changes have been made. I'm always concerned if we put people into a dysfunctional process they too become dysfunctional. So that's my concern.

Caldwell: Thank you.

Hardesty: Nothing against the candidate.

Wheeler: Any further discussion?

Caldwell: Nothing from us.

Wheeler: I'll entertain a motion.

Eudaly: Move the appointment.

Wheeler: I'll second the report. Please call the roll.

Hardesty: So I don't know that I have enough information about the current work of the police review board, but mayor, as a courtesy I'm going to vote yes, but I would be very grateful if we as a council got an update about what changes have been made and whether or not those are changes that are helping civilians have a greater voice in the police review process. My understanding is that the way it has worked up until you said the changes have been made, up until the changes you say have been made that those community voices have been very silenced in that process and so I need to know that the community's role is actually really robust in this review process. I look forward to ongoing conversations about the changes made and how community members are faring in that process. Thank you. Aye.

Eudaly: Aye.

Wheeler: I agree with commissioner hardesty's comments and it has been a while since we have had a work session on prb, ipr, and the overall oversight and accountability mechanisms. With more commissioners coming on board sometime after I guess it would be august when we would have a replacement, commissioner would be a really good time to reset that conversation. So I agree with commissioner hardesty's comments and I think the appointee is an excellent one. I thank you for ensuring that there was a large and diverse pool of applicants for this position. I know you had to work at that and I respected work you did to do it. I vote aye. The appointment is approved. We'll take a recess until commissioner Fritz is able to be here.

At 11:09 a.m. council recessed.

At 11:21 a.m. council reconvened.

Wheeler: Next is item 125. This is a continued hearing.

Item 125.

Wheeler: Do any members of the council have any new ex parte contacts or site visits to declare or information gathered outside of this hearing to disclose presumably since the last time you answered this question?

Eudaly: No.

Wheeler: I guess I need to wait for commissioner hardesty, don't I, to answer that question. She will be here in a second.

Linly rees, Deputy City Attorney: You could move forward and when she arrives you could ask her to chime in.

Wheeler: Let's do. No council members thus far have any new ex parte contacts or site visits to declare. Do any council members have any other matters that need to be

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discussed before we begin the hearing? Before we begin, I need to announce that though I was not present for the January 30th hearing I have reviewed the record and I'm prepared to participate in the appeal. In the hearing the council heard from all interested parties and began their deliberations. Commissioner Fritz made a motion to tentatively uphold the appeal and extend the use for ten years that was seconded by commissioner eudaly. The council did not take a vote on the motion. We're now back to continued deliberations and vote on the motion. Before we resume I want to remind everyone that the record is closed. Before we get to the question of whether there's further discussion about commissioner Fritz's motion, I will ask commissioner hardesty, do you have any new ex parte contacts, site visits or other issues that you need to declare?

Hardesty: Mayor, thanks for the question. Yes. I was contacted by one of the -- the plaintiff in this case. I did not discuss it, but I did let them know that it was inappropriate for me to dialogue and I'm not quite sure, but yes. So that was my only communication. No site visit.

Wheeler: It's my understanding that was via email and you did not respond.

Hardesty: I responded in that I could not actually respond.

Wheeler: Good customer service always valued here. Does anyone in the chamber have any questions from commissioner hardesty based on what she's just disclosed? Seeing none we're back to deliberations. Why don't I jump in since everybody has heard what everybody else thinks and I have a couple of questions for legal counsel. I was persuaded by the commentary around conditions under which the original conditional use permit was extended and my concern is that if we accept the ten-year extension what we are defacto saying we're permanently extending the conditional use permit. That sets a precedent. In this particular case, first of all I want to just express that I hold the Japanese garden in the highest of esteem. Their leadership, steve bloom is one of the most effective executive director leaders in the city of Portland, and he's justifiably been in that role for some time because of his effectiveness and success. I want to thank all the people who volunteer on the Japanese garden. It's always my go-to place when I have people visiting from out of town. This is not a discussion whether we like the garden or don't. This is about a land use case, its about the facts on the record and its about the extension of a conditional use permit. My concern is that by extending the conditional use permit for another ten years and ignoring the rest of the conversation that took place previously around promises that were made or not made, the concern I have is this now sets a precedent for residential areas throughout the city and commercial uses in said residential areas. I was pleased to hear on the record and I believe it was steve Janik representing the neighborhood, I could be mistaken, I think it was steve who said that they did not want any extension of the conditional use permit but they could live with the four years that was recommended by the hearings officer. I saw that as a compromise position that would be useful and therefore my inclination would be -- by the way, mr. Janik also indicated that if four years goes by and the japanese garden has not been able to resolve this issue they would be willing to take up the question again in four years. So that struck me as a reasonable compromise position, and it comported with our city staffers' recommendation to city council. There's a problem with this, and this is now where I'm turning to legal counsel. Ordinarily we would have this discussion, we would have the conversation, we would cast our vote, and that would be that. My understanding is the charter does not actually account for the possibility of a tie vote. Is that correct?

Rees: It's city code section 3.02.040 which requires that either to approve an appeal, uphold an appeal or deny it requires three council votes affirmatively.

Wheeler: You see Maggie with her hat on back there, that's how I feel right now. Commissioner Fritz.

Fritz: I have a question. Which approval criterion allows us to put a condition of approval for either four or ten years?

Wheeler: Could I have staff come back up, please? This was your recommendation to council, the four years. Could you do your level best to address the commissioner's question.

Andy Gulizia, Bureau of Development Services: It was the hearings officer's decision to limit it to four years. It wasn't actually the staff recommendation, but what he based that on was criterion c, for livability, and basically saying that office use is fundamentally different from residential use, and that regardless of how many conditions of approval could be placed on it to limit the impacts. The impacts are going to be different. The neighborhood was unique because it was next to the Japanese garden and the rose garden and Washington park. You'll find those in the findings for criterion c.

Wheeler: And goal 10 could you, cause there was some discussion amongst council members about goal 10. The question I had is goal 10 speaking holistically about the city over all or is it speaking about individual land use decisions?

Gulizia: I believe it speaks holistically about the city over all. It's a requirement on cities to provide for and plan housing.

Eudaly: What was the staff recommendation.

Gulizia: The staff recommendation to the hearings officer was to approve with conditions of approval including a ten-year time limit. The hearings officer adopted the conditions of approval recommended by staff but changed the condition of approval from ten to four years because he found livability criterion c would not be met for ten years.

Wheeler: I have a question about that then I'll get to commissioner Fritz. I'm on this train of thought and it's interesting to me. Goal 10 does figure into our findings in the criteria we use for these land use hearings. I could actually make the case that any individual action does not necessarily have a material impact on the over all city's goals around providing housing stock. Couldn't I?

Gulizia: I think you could.

Wheeler: So why is it in the code?

Gulizia: It's not in the code.

Wheeler: Where is it?

Gulizia: Because the city comprehensive plan was appealed and while that appeal has been pending certain land use applications where the criteria were affected by the 2035 comprehensive plan under appeal. Also must demonstrate compliance with statewide planning goals until that comprehensive plan is acknowledged by the state.

Wheeler: Could I not say in any one of those 2035 issues it's not demonstrated that a particular designation has material impact on the city's overall housing goals, that it is in fact not something we need to concern ourselves with?

Gulizia: I suppose you could. It's not something we have a lot of experience implementing.

Wheeler: Strikes me as a little counter to the common sense objectives. Maybe it adheres to the letter but I don't think necessarily the spirit of what we're trying to accomplish. Commissioner Fritz.

Fritz: Thank you. The hearings officer found on page 29 the use of the kingston house as office space will have or likely have influence or effect on the residential area. And that the applicants requested ten-year extension will result in significant adverse impacts. In the conclusion it says above that it says the hearings officer finds that the residential area in this case is unique and that any additional or different, , noise, glare from nighttime operations, odors, litter and privacy do adversely impact the residential area. The testimony of the nearest neighbor was in support of the application for ten years. The record also shows on page 33 that the volume of traffic going past this residence is 2563

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on the highest day. So this is -- I just find it incredulous to think that having 12 employees who don't park on the street are adding significantly to 2500 vehicles on this street.

Hardesty: Thank you, mayor. For me the decision as with you has nothing to do with my love for the Japanese garden. There was a ten-year period of time where the Japanese garden had the opportunity to build office space. That was the agreement that they made. When I talked to the director of the Japanese garden and he said, yes, we did our construction but we didn't construct large enough for all our staff, to me that is not a compelling reason for us to give them ten more years to do the same thing. I thought the hearings officer was brilliant by saying, okay, we will give you a little more time for you to address the core issue, which is your new space does not hold all of your employees. The reason why we put conditional use on some land use decisions is because we do not want to set a precedent that it just becomes the norm. It's not acceptable to me that this council would then say, yeah, but we like you so let's extend it for ten more years. It's clear to me that there was -- they could have if they had chose to, the Japanese garden, built enough space to accommodate their office needs. The fact that they chose not to and then expect that we would just say, okay, we'll wait another ten years, is to me not acceptable. I can love the Japanese garden and be absolutely opposed to them having ten more years to actually do what they should have done within the first ten years of this process. So that's where I stand. My position has not moved. And that's where I am.

Wheeler: Commissioner eudaly.

Eudaly: First of all, commissioner Fritz, I still support your motion but I don't recall supportive testimony from any neighbors.

Fritz: It's in the record.

Eudaly: It's in the record. We didn't hear it in the last -- as far as the Japanese garden's opportunity to construct on site, like any other development, they were constrained with how much they could build on that site. They chose to dedicate that limited space they had to space that the public can enjoy and space that generates revenue such as the gift shop and the cafe. I am not going to chide the Japanese garden for not giving up those vital opportunities to build office space when they have a building adjacent to them that they are using. I heard no compelling evidence from the opponents that use of that home as an office has any real impact on livability in the neighborhood. I just reject that and I also reject the notion that we're setting a dangerous precedent by allowing conditional use on a one single family home in very unique circumstances. This has nothing to do with my personal feelings about the Japanese garden. I just feel that the arguments around livability and title 10 are grasping at straws. They are not meaningful to me whatsoever. We have an affordable housing crisis. We don't have a lack of housing units. We have thousands of vacant units. So to argue that we can't take one house and let it be used for a nonresidential purpose, one house, I don't know, probably worth \$800,000 to \$1 million, which is not going to provide anyone affordable housing, is -- just not compelling to me. So I continue to support commissioner Fritz's motion.

Wheeler: Very good. Could I ask a couple more questions here and you may or may not have this information. I believe I heard on the record, and I may have misunderstood this, I believe what I heard was the original conditional use that was extended, that either the hearings office or city staff at that time, I'm not clear which, indicated the conditional use criteria would not be met but for the fact that there was an agreed-upon time limitation. Do you recall that discussion, and if so can you elaborate on that?

Gulizia: It was the hearings officer that made that comment in his decision from 2009 that I think what he said was that it may not be met or was not necessarily met if not for the ten-year time limit proposed by the applicant at the time. He wasn't asked to consider anything more than ten years in that 2009 decision, but I do recall in his findings he said that in the findings for criterion a from the 2009 decision, that the conditions of approval limiting the

use to ten years made it so he didn't have to address whether permanent conditional use would meet the criteria and the permanent conditional use he found would not necessarily meet them.

Wheeler: It was not as hard a line as it would not have met the conditional use criteria but for the ten-year cutoff.

Gulizia: If you like I can pull it out and read it to you. I don't want to mischaracterize it.

Fritz: Wasn't it that the neighborhood was starting to appeal and by having the ten years they agreed to it?

Gulizia: I don't know what happened before they got to that point in 2009, but in the 2009 hearing the neighborhood association actually supported the Japanese garden's application. They had a separate agreement that they had entered into and part of that was that the use would be limited to ten years.

Wheeler: I have a legal question. I hate to ask legal questions, but this is all legal. I have raised the concern about precedent. Commissioner eudaly indicates that she does not see this as precedent because it's narrowly focused on a particular land use decision. Could you give us clarity on that, can you put my mind at ease that this does not set precedent?

Rees: I'm not sure if you're asking globally about conditional uses.

Wheeler: Yes. My concern --

Rees: Our code provides for many types of conditional uses in many different zones. Most conditional uses are very fact-specific. The purpose of a conditional use is that you will allow something that would not be allowed outright but what you're trying to do is address any of the impacts that that use would have on allowed uses in the neighborhood.

Wheeler: This is helpful. Is there some way to clearly state for the specifics of this findings, this set of findings, that this is a unique one-off circumstance and it is the council's stated intent that it not set a precedent in other areas of the city? Do you see what I'm getting at?

Rees: Typically, the findings are addressing particular criteria. So the question would be is there an interpretation that council is making of the criteria that -- you would be concerned that that might apply in other circumstances. Yes, I will say we do that regularly in your decisions when there are really fact-specific circumstances that lead you to interpret the code language in a particular way and we can certainly circumscribe it.

Wheeler: Commissioner eudaly made a good point, which is, this is right next to one of the largest tourism destinations in our city and in fact the entire state, and therefore there's already a significant amount of street based activity and the like. I do not necessarily want to open this precedent in other parts of the city. So it sounds like what you are telling me is we're protected from that. Is that correct or no?

Rees: I think it's a decision that can be written in such a way -- if you're talking about temporal limitations, conditional uses, the criteria don't specifically speak to temporal limitations. The only reason you would do that is you think there are particular impacts. You absolutely can write the findings in such a way that it's specific to a particular application.

Wheeler: How would you do that because what I don't want is to have someone in lents sue me or the city council saying, you set a precedent over here up by the park and the Japanese garden, now we're going to use the precedent that use already used there to put commercial uses in residential areas in lents. I want to protect us from that and I want to be unequivocal in that. The question is how do we write this in a way that would not be precedent setting? We could be sued, right, based on precedent.

Hardesty: We could be sued because people sue us, right?

Wheeler: I mean successfully. I get sued five times a day. Successfully.

Eudaly: The nature of conditional use is very specific to each individual site so this idea of precedent I think is unnecessarily confusing the matter because there is a set of criteria that has to be met in order for the conditional use to be allowed and those criteria and

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whether or not they are met are going to vary from site to site. It's not like we don't ever want to allow another conditional use again. We get to weigh each one.

Wheeler: I'm sorry do you have something commissioner?

Hardesty: I guess I'm just concerned that the reason that we do a conditional use is because of a condition that exists. If the plaintiffs actually develop a good neighbor agreement, if the plaintiffs said, in this period of time we would have resolved the issue that requires this conditional use permit, why would we then say, well, just because this is such a nice place to go to we're going to let them do this indefinitely, right? If we want people to respect the rules that the city puts down and says this is the process, this is how you do it, it is inconceivable to me that we will continue to make exceptions for things that we like versus things that we don't like. So to me I'm really trying to understand why extending this for -- what will change in ten years? Will they have built the office space? Will they no longer need the house? What do we think will be different in ten years if you approve this.

Fritz: I have a comment. Could I remind council that council approved a conditional use for the spa in northeast in a residential zone to allow commercial use in a residential zone. That's clear evidence that these are one-off based on the approval criteria and commissioner Eudaly and I are not talking about we like the Japanese garden. We're talking about what does the approval criteria say.

Eudaly: And what are the impacts? The impacts are minimal. That's the essential criteria in my understanding of the conditional use.

Douglas Hardy, Bureau of Development Services: Hi. Douglas Hardy with Bureau of Development Services. So I think the last set of comments address in part what I was intending to indicate, but typically, for conditional uses there are not time limits placed on them. So for example most every --

Eudaly: Church.

Hardy: Most every school in the city is a conditional use. They have been conditional uses for 80 years. Hospitals, universities. All of those are conditional use entities that don't have time limits on them. So I think if you want to put a time limit to this particular circumstance, again, it has to be related to the approval criteria so there has to be something related to one of the approval criteria, that there's some negative impact that effectively demands that we put a limit on the time. I think to your specific question, Mayor, about precedent setting and to reiterate to some degree what the city attorney had indicated, conditional uses as you indicated are very site-specific. Just because we approve one in this neighborhood doesn't mean the exact same facility is going to be approved in another neighborhood because as we do the evaluation we, the city, BDS does the evaluation we're looking at the very site-specific impacts. What are the impacts on traffic? What are the impacts on parking, noise, odor, et cetera. It could be very different in a different circumstance.

Wheeler: Let me ask you a question. Maybe you know this, maybe you don't. We're dealing with a little bit of history here. The original conditional use permit did have a timeline on it which you're saying is an exception to the broader rule. Why was it put on?

Hardy: I'm sorry --

Wheeler: Why was a time limit put on it?

Hardy: That's a good question. As Andy indicated, there was an agreement between the garden and the neighborhood as to the limit, the extent of that office use. I won't say -- well, I guess I will say in the hearings officer's original approval in 2009, was it, I think similar to the current hearings officer's decision in fact it was the same hearings officer, it wasn't necessarily clear in the findings why there was the ten-year, in fact as you indicated there was reference in the hearings officer's report that potentially if there wasn't this ten-

year time limit it may not have been approval but there's nothing in those findings that said why, what's the importance.

Wheeler: One more question of legal counsel. I'm sorry, I'm working you overtime today. What would be the consequence of us not reaching a consensus opinion? In other words a 3-1 vote or a 4-0

Rees: As long as you have three votes --

Wheeler: I'm sorry, I didn't mean that. If we're tied.

Rees: If you're tied it means we get to keep deliberating until we reach a decision. We are obligated when there's an application submitted we're obligated to reach a decision.

Wheeler: Okay. I'll just put a marker out, pop-up, not necessarily related. I think we need to revisit the way the code is written, the way it's drafted and maybe something like if there are only four commissioners -- [laughter] majority wins. Honestly I think --

Hardesty: The majority will win now.

Eudaly: Can we get the auditor down here to place a vote? Just kidding, just kidding.

Wheeler: The difference is this would have been wrapped up previously. I feel like my presence is not helpful, my presence at this point creates a tie and we need to figure out how to move on from a tie situation.

Gulizia: I have the hearings officer's findings from 2009 where he addresses your questions. Would you like me to read those?

Wheeler: Yes.

Eudaly: Yes.

Gulizia: That was the applicant's proposal at that time based on an agreement with the neighborhood association I believe that only proposed ten years, so it wasn't something imposed it had nothing from the hearings officer at the time, but what he said, this is in the findings for approval criterion a in 2009. The hearings officer throughout this decision considered the use of a house as administrative offices to be for a limited term under this approval criteria the hearings officer measured the intensity and scale of the proposed use as those flowing from only a ten-year term. The officer notes had this proposal not included a ten-year term the hearings officer may have arrived at a conclusion that the overall residential appearance and function of the residential area would have been significantly lessened and therefore this approval criteria would not have been met. As such with the representation by the applicant that the house and subject site would be used for administrative purposes for a period of ten years the officer finds the overall appearance and function of the residential area will not be significantly lessened. The hearings officer finds with the ten-year term this approval criterion is met.

Eudaly: I have a couple of comments.

Wheeler: Commissioner eudaly.

Eudaly: I would support getting rid of the time limit altogether. I appreciate you sharing that with us, but as I said earlier, I heard no evidence that there was a truly negative impact to the livability of the neighborhood by the use of this residence for offices and the reason that I am ardently pursuing a ten-year extension are two. One, this is an expensive and time-consuming process for the garden to go through. And two, it's a time-consuming process for council. So I would just like everyone to consider that. We may have this come back four years from now and have yet another hearing on it.

Wheeler: Commissioner hardesty.

Hardesty: My expectation would be in four years they would have had office space, that there would be no need to come back in four years because they would have actually identified or built office space that they would then move their staff into. I don't know why it would come back in four years. Again, I go back to what was the agreement made, and I really appreciate you putting that on the record because I do remember reading through and realizing that there was a good neighbor agreement. You meet with your

neighborhood association, you come to an agreement then you go to a hearings officer and they say, okay, yes, you can do this under these stipulations, I mean, I expect people to actually follow the rules that they agree to unless there's a compelling reason not to and then when you tell me when I ask you directly the reason you didn't is you didn't build enough office space, I'm sorry that does not pass the smell test for me. I think if you knew you had a ten-year time limit then you plan accordingly. It's not like we said you have to figure it out in a year. I don't want to be a part of actually just supporting stuff that actually is not what we agreed to. If you agree to this, if there had been some financial reason, some major disaster and there was a reason why we could not perform as we said we would, then I would have been very happy to reconsider it, but that's not what the plaintiffs presented to us. That's where I am.

Eudaly: Without significant impacts on livability in the neighborhood we're going to allow a small group of neighbors to adversely impact the garden and potentially everyone who enjoys and benefits from the garden. I just without meaningful impacts to the neighborhood I don't -- it's still unclear why the hearings officer or what condition he was attaching that opinion to. It sounds like they came to an agreement with the neighbors on the ten years to appease the neighbors, but there is no -- the garden made it clear they don't have the resources to build offices in four years.

Wheeler: Could I get clarification and I know this was raised during the hearing so I know it's material to this conversation, the executive director was giving his testimony and he was just about to answer the question I wanted to hear answered. Then I think his time ran out. The question that I wanted answered was, of the individuals who are in the office immediately adjacent to the garden, how many of them has either a condition of their employment or as a requirement of the work they do need to be in immediate proximity to the park?

Gulizia: I think that was in the record that the applicant had stated that all the people that work in the house go to the garden on a daily or frequent basis.

Wheeler: As part of their employment?

Gulizia: Right.

Wheeler: What do they do?

Gulizia: I don't know what they do. I don't believe that was ever stated and now the record is closed but they did say, that was in the record, the people that work in the house are people that they feel need to be close to the garden because they go there on a regular basis.

Wheeler: In all fairness it seemed they agreed to a whole host of stipulations in terms of how many people could be in the house, where they would park, issues around lighting, noise, after hours operations. I was very pleased to hear that. Commissioner Fritz.

Fritz: Whether or not the Japanese garden could put staff somewhere else is not part of the approval criteria. If a land use application meets the approval criteria it must be approved and there isn't evidence in the record as to why the livability criterion is not met. The issue of was there a deal, have they met with the deal, that's not part of the approval criteria. Although this is -- in the appeal. Although there may have been some question in 2009 how the office use might integrate with the neighborhood there should be no question now. The garden has demonstrated through this application that over the past ten years the office use has not caused not only -- approval criteria in significant adverse impacts on the surrounding neighborhood it has had no significant adverse impacts of any kind.

Wheeler: Very good. Sometimes being mayor means you just have to suck it up. This is going to be one of those circumstances. We're obviously at a stalemate. Code requires us to have a majority. I think my colleagues have made some very good points. I think all of us agree we love the Japanese garden. I actually have concerns about this but in order for us not to have a democratic crisis here under the current requirements of our ordinance I

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will vote with my colleagues over here so that we can move on, but I'm also going to say something for the record. Number one, we need to revisit the code so that this never happens again. The code assumes immortality and assumes we will not, therefore, have a tie. Unfortunately, sadly we know that not to be true. I would like that code revisited. Number 2, I have an expectation of the Japanese garden because I hold them in high esteem and because their leadership is extraordinary and I know their allies are very smart, savvy, influential and concerned members of this community, that they will work with the parks bureau and I did hear some concerns about their relationship with the parks bureau going way, way, way back. Let's see if we can find a better solution in coming years that work for everybody. It may be that at the end of the day we can't get there, but I would at least like this not to be an excuse to do nothing. I think we should continue the conversation. I'm currently the parks commissioner and I will commit to beginning that process and that conversation and let's see what we can do together. So with that if there's no further discussion we already have the motion on the table. I'll just call for the roll.

Fritz: Thank you, mayor and thank you, commissioner eudaly. Your points were well made and I support them. Thank you to staff, thank you for the neighborhood folks and the Japanese garden. We have to make decisions based on the approval criteria like commissioner eudaly I don't see anything in the approval criteria that allows for a ten-year time limit so that in itself I think is a compromise. I appreciate the mayor for breaking the tie. Aye.

Hardesty: I appreciate my colleagues. I guess I'm thrilled that we don't always think all the same and we don't all have the same -- come at these issues from the same direction. For me this was a very easy vote, and the vote was simply you make an agreement, you get a conditional use, you either keep the agreement or you don't. So to me it's cut and dried, especially when I talk to the director find out in ten years there was no movement to actually make the change that they agreed to. It's very unfortunate that we're going to once again cave for an issue that I think leadership is required and leadership means that you hold people to their word, so I vote no.

Eudaly: Well, it sounds to me like the original ten-year limitation was a concession to the neighborhood, not based on actual criteria and that is why I am very comfortable, very supportive of commissioner Fritz's motion. I vote aye.

Wheeler: As I think has been made crystal clear, I actually support the recommendation of the hearings officer, however, we have an issue with the ordinance that requires us to be able to move on with only a majority vote. I'm persuaded by many of the arguments commissioner Fritz and eudaly have made but not by all of them. I do expect the Japanese garden to work with me as the new or temporary parks commissioner to resolve this issue. Frankly, I believe that whether it is part of the findings or not, the Japanese garden made a commitment to the community, and they did not live up to that commitment. That is problematic for me. So I think that that commitment does not dissolve today by us taking this vote. I would hope that they would continue to provide the excellent leadership that they provide and take the initiative in the way they take the initiative so many times in so many other positive ways for our community and continue to sit at the table and engage with the neighbors. I vote aye. This is a tentative vote in approval of the motion offered by commissioner Fritz. We will come back for a final vote. The motion today is to tentatively uphold the appeal and extend the use for ten years. It's passed 3-1. This matter will return to council for adoption of findings and a final vote on --

Moore-Love: Next time we have a full council is march 4th if that will work for everybody at 10:15 a.m.

Wheeler: Good. Anything else? Legal counsel did we cover all of our bases there?

Rees: Karla just wanted to confirm we have the entire council that date?

Moore-Love: Correct.

Rees: We are good.

Wheeler: Very good, everybody be there. Thank you. That item is tentatively resolved. Next item, to the regular agenda. 134.

Item 134.

Wheeler: Colleagues, the city's primary wastewater treatment plant is Oregon's largest. It helps protect public health and our environment 24 hours a day year round. The digesters are a key part of the process turning waste into reusable products. Methane for renewable energy and biosolids for soil amendment. To keep the digesters functioning properly they need to be periodically cleaned. Here today to give a brief presentation on this is bill sterling, treatment plant operations supervisor, and of course rob george, operations manager. Both with the bureau of environmental services. Take it away.

Bill Sterling, Bureau of Environmental Services: Thank you, mayor. Commissioners. As you stated, my name is bill sterling, I'm operations supervisor with the bureau environmental services. With me today is rob george, operations manager and my boss. So like I said we work at the wastewater treatment plant. It's located in north Portland, it's the largest in the state and it's Portland's main wastewater treatment plant. The plant has been providing wastewater treatment for the city of Portland since 1952. We're proud to be from operating and maintaining the facilities for 24 hours a day, year round operation, and we have been doing it nearly for seven decades. Today we are here requesting authorization to use competitive bid process to obtain the most responsible contractor providing the best price meeting the specifications for digester cleaning and residual disposal services. In this aerial view, you can see we have approximately 100 acres in north Portland and in red there are ten circular tanks highlighted. They are solids digesters. These tanks collectively have about 20 million gallons of capacity. Some are bigger, some are smaller as you might be able to see. As a closer look, explaining what the digesters do they are key for the treatment process as they provide for the treatment of the organic solids that come into the plant. They are set up and intended to act like the human stomach by using organic matter as food to create reusable products such as methane and biosolids. The bureau needs to have each of these ten digesters cleaned at the plant every two years which equates to about five a year. Cleaning is necessary to maximize biosolid storage, sustain performance and optimize biogas production. This is a picture of a digester that is in need of cleaning. It is full of unusable material.

Wheeler: Do you have to shovel that out? How do you do that?

Sterling: That's what the contractor would do, but they usually insert a pump and pump it to their dewatering equipment and then haul it away to a permitted landfill.

Wheeler: Thank you.

Hardesty: Is there any new technology that actually would be self-cleaning and therefore would not have to take this expensive couple of years of cleaning it out?

Rob George, Bureau of Environmental Services: If it exists, we are not aware of it.

Hardesty: Maybe we should build it. Right? We're moving into this climate feature, right? My question is always going to be is there a green way to do this? Doesn't seem like this is good for the environment, pulling this stuff out of the ground and taking it to a dump somewhere, right? Not actually going to help meet our climate justice goals if we continue to do that and not look at what's out there is innovative, is green that allows us to be leaders around how we continue to do this in a way that makes sense. Inquiring minds want to know.

George: Thank you.

Sterling: Next slide. This is what a clean inside of the tank clean digester looks like after all the inorganic material has been removed. The cleaning process removes the nonorganic material. Over time these large tanks accumulate inorganic material like sand,

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grit, rocks, rags and plastic material that comes off the streets of Portland and other sources. The cleaning process ensures they sustain their capacity and operate properly.

Hardesty: Where do we dump that stuff?

Sterling: Previously -- that is what the contractor gets a permit for to take our stuff. We have some experience. The last contract they took it to arlington up by hermiston. So we are here to request you to authorize conducting an invitation to bid for the digester cleaning services to clean the five digesters a year. Estimated cleaning cost is based on the previous contract, in 2018, and we have moderate to high level of confidence in this estimate, and the funds are available in our sewer system operating fund.

Wheeler: Can I ask a question? This is coming to council because it fits within our contracting criteria. Is that right?

Sterling: My understanding is it would come before you because it's over a certain price.

Wheeler: But this is ongoing standard procedure, is it not? There's nothing unusual here.

Sterling: We would like it to be.

George: It's a maintenance activity.

Wheeler: You do this every so often. Is a requirement of the system, right?

George: Yes.

Sterling: Correct.

Wheeler: Is this consistent with what you have been paying in the past?

George: That's what this is based on is the results of past cleaning efforts.

Wheeler: Could be a little more, a little less?

Sterling: Correct.

George: True. Thank you for your time.

Hardesty: Thank you. Can you tell me who the contractors are and what their diversity breakdown has been in the past and what you hope for with this contract?

George: So the last contractor that we used had a very diverse labor pool. We will be using our procurement specialist to their fullest capabilities, but I will also add that this is fairly specialized work requiring a lot of safety considerations and specialized tools and equipment to make this happen.

Hardesty: Which is why I was asking about the equity goals. If you've achieved those in the past my expectation wouldn't be that you would not be able to achieve it in your new contract. Is that your expectation as well?

George: That is our expectation, yes.

Hardesty: Did you achieve your goals in the last contract?

George: I am not sure of that. We could check.

Hardesty: Certainly would appreciate knowing what the breakdown has been in the next contract and what you expect in the new one.

George: Happy to provide that.

Wheeler: I want to say I have found it fascinating learning about this. At some point I would like to tour the facility. I'm advised to tour it before the heat of summer but I appreciate the work you do out there and I would like to learn more about it. Commissioner Fritz.

Fritz: One of my more memorable field trips. [laughter] I just wanted to say I'm thinking very fondly of commissioner Fish and seeing asena lawrence working here. The presentations for environmental services have really become very interesting, clear, you have answers to most of our questions. That is definitely due to his leadership over five-plus years. Thank you.

Wheeler: Appreciate it. Is there any testimony on this item?

Moore-Love: No one signed up.

Wheeler: Maybe they will all go on the tour with me. Gin up some questions. It's very interesting. Do people actually have to go into the tank?

Sterling: They do.

Wheeler: I assume hazmat, breathing apparatus. I see what you mean when you say specialized, dangerous work.

Sterling: Following all the confined space rules and all the precautions in place.

Wheeler: Appreciate it. Appreciate the work you all do. Some of that invisible work city employees do, they won't notice if you do it right, but boy, if things go badly they will notice it right away. Thank you. Very good, this is a first reading of a nonemergency ordinance, it moves to second reading. Next item is a second reading, 135.

Item 135.

Wheeler: Colleagues we have heard a presentation and taken public testimony on this item. Is there any further business? Please call the roll.

Fritz: This is another occasion where having just four of us has modified the outcome. I appreciate the compromise that's been made to have four of us willing to vote for this. I would have liked to have locked it in for a longer period because I don't trust what the federal communications commission is going to do. Regardless of who wins the election in November. Aye.

Hardesty: No.

Eudaly: Well, this is one of those -- [audio not understandable]

Moore-Love: It's a nonemergency.

Linly Rees, Deputy City Attorney: What's the controversy?

Hardesty: The question is whether or not item 135 needs four votes. I'm told it needs just three.

Rees: It needs just three.

Eudaly: It's unfortunate we're moving forward with a compromise without four votes because like commissioner Fritz I would have preferred to lock this in for a longer period. This is one of many circumstances on council where we are offered two choices, neither of which is desirable, and we have to go with the one that causes the least harm. Do you want to interject?

Fritz: May I ask a question? Can we change this to have a temporary five-year permit or temporary ten-year permit?

Moore-Love: Staff is in the room as well.

Hardesty: What I know is across our region people are shifting from franchise to these contract agreements, and it's better I think for the public, but you're the expert.

Wheeler: You guys are really testing my legal skills today. It's highly unusual for us to offer an amendment halfway through a vote. I'm going to have to ask legal counsel what the precedent is here.

Rees: I'll move to reconsider when it passes then if that works.

Wheeler: Understanding that --

Hardesty: Should you finish the vote first?

Rees: You can finish the vote --

Wheeler: Just to be safe let's do that and come back for reconsideration.

Moore-Love: We were on Eudaly.

Eudaly: So my recollection of this item is that we negotiated the strongest agreement we could with verizon in anticipation of the fcc forcing something a lot less desirable down our throats. That is why I support it and why I'm voting eye.

Wheeler: I vote aye.

Fritz: Move to reconsider.

Wheeler: It passes. Commissioner Fritz.

Fritz: Move to reconsider.

Eudaly: Second.

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Wheeler: We have a motion and second for reconsideration. Call the roll on the reconsideration.

Fritz: Aye. **Hardesty:** No. **Eudaly:** Aye.

Wheeler: Aye. We have a reconsideration on the table.

Fritz: So, question for staff.

Jennifer Li, Office for Community Technology: If I can rephrase the question, commissioner Fritz, your question is --

Fritz: Identify yourself for the record.

Li: Jennifer Li with the office for community technology. Your question is can we have this as a five-year temporary permit rather than a one-year. We can. Typically what our office has done in the past although this situation is a little bit unusual, but when we have had a temporary revocable permit we have had it for a one-year term because of the length of time it takes for a franchise to go through public process required by city charter.

Fritz: But we have already done the franchise process, right?

Li: We have not finished it.

Fritz: Do you think you can get it done within a year?

Li: Yes.

Fritz: In that case maybe I should withdraw my motion to reconsider.

Eudaly: Second.

Wheeler: No motion has been put on the table. The motion stands as passed. That good?

Fritz: Obviously we'll have another council member within the year.

Wheeler: The motion has passed, the ordinance is adopted.

Fritz: Thanks for being here, jennifer.

Wheeler: Very interesting today. Next two items, please read them together, 136 and 137.

Item 136.

Item 137.

Wheeler: Good afternoon.

Matt Gierach, Office of Management and Finance: Good afternoon. I'm Matt Gierach with debt management in the bureau of revenue and financial services. The purpose of the ordinances under item 136 and 137 is authorize refinancing of existing bonds for interest savings. The bonds eligible for refinancing are the series 2010, a, b, urban renewal redevelopment bonds for the lents town center urban renewal area and two the series 2010 a and b bonds for the knot macadam renewal area. The lents bonds are currently outstanding in the amount of \$25 million. Refinancing of these bonds in today's market conditions is projected to result in approximately \$2.8 million in present value savings. The north macadam bonds are currently outstanding in the amount of 42 million and the refinancing of these bonds in today's market conditions is projected to result in approximately \$5.2 million in present value savings. Savings from both refinancings will be distributed to the underlying taxing districts including the city of Portland's general fund and other local government units. Under the current plan finance we are planning to maintain current payment levels thereby shortening the life of the bonds by paying additional principal each year. This would result in tax revenues returning to the general fund more quickly. We'll be working with the finance deficit prosper Portland over coming weeks and it's anticipated that the refinancing will be completed as early as march and april for the lents bonds and north mcadams respectively. If you have any questions I'll be happy to answer them.

Wheeler: I just want to, oh I'm sorry commissioner Fritz.

Fritz: I just want to make sure my math is correct. Your brilliant department is saving us \$8 million with this refinancing.

Gierach: Yes.

Fritz: Thank you.

Gierach: That's correct. Its all the taxing districts. So the city's portion of the savings would be a fraction of that based on the proportion of what our tax rate is relative to the consolidated tax rate.

Fritz: And honest as well. Essentially you're saving the taxpayers that amount of money, so thank you.

Wheeler: Is there any public testimony on either of these items?

Moore-Love: No one signed up on either of these.

Wheeler: Very good on 136, call the roll.

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

Wheeler: Aye. The ordinance is adopted. 137, call the roll.

Fritz: Aye.

Hardesty: Love when we save money on these bonds. Aye.

Eudaly: Well, today's item is a standard bond refund procedure. I want to take a moment to highlight the auditor's report on the lents urban renewal report released this morning. I encourage everyone to take a look and review it, in particular I want to draw attention to the need for better result tracking in our urban renewal areas. In the lents ura, homeownership for people of color has gone down. The number of people who can afford their rented home has gone down. Gentrification has accelerated in lents and now affects much as east Portland. Given the troubling history of urban renewal areas particularly for communities of color it's unacceptable for us to fail to properly measure success in our uras. With our current uras and any future uras I will be looking closely at justification for proposed actions and monitoring how we plan to measurably improve the lives of residents in those areas. With that said I vote aye.

Wheeler: Related to the same audit, I would put two points on the table. Number one, absolute progress does not necessarily or lack of absolute progress does not necessarily mean the city's resources that have gone into an area have been for naught. In the absence of our efforts around transportation planning, parks development, economic development strategies, and other strategies, in the absence of our funding the situation could be much worse. I particularly note that with regard to housing through the housing bureau. Secondly, I sort of hinted at this earlier in our conversation when I asked how do we measure success, by what metrics are we defining success, and where I agree with the auditor on this is there has to be clarity up front, what success looks like and how we will measure success. I have noticed a trend in a number of the audits that have come up recently the auditor said you either didn't measure something we thought you should or you measured the wrong thing. The time to have that conversation isn't 10 years into a project, its before we get into it. I feel like you have been very clear about what the metric here is. The metric is to find the lowest interest financing mechanism to spread those dollars as far as we possibly can, and you do that on an ongoing basis. You scrub for opportunities around better financing packages and that's what you're supposed to do and you're very, very good at it and I appreciate that. Part of the work I would like this council to do vis-a-vis the independent audit function is somehow engage the auditor earlier this these conversations around what criteria they think should be added to the list of criteria that we're evaluating so that there isn't just a fundamental difference of agreement like we had for example on the Portland building. We were literally fighting over apples and oranges as to whether how that project should be evaluated in terms of outcomes. The only way we can resolve this is by arguing after the fact or the better strategy to have an agreement up front about what the metrics for success are. I just want to encourage that. I vote aye. The ordinance is adopted. Next item is 138, also a second reading.

Item 138.

Wheeler: Is there any further discussion on this item? Please call the roll.

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Fritz: I am so happy about this. This neighborhood has been waiting for this park to be completed for decades and I honor ron and jen clemenson and tom lewis and a lot of the centennial neighborhood association folks who have worked on it for a really long time and the park staff that did a fantastic job with it. Aye.

Hardesty: I vote aye. I want to make sure, though, that we are looking at how we engage minority and women contractors. I love this idea of the alternative contracting so that we can be intentional about who really benefits from these public dollars and I look forward to following the process to ensure that we exceed the goals that we set. I vote aye.

Eudaly: Aye.

Wheeler: I want to thank commissioner Fritz. This has been your baby for many, many years. East Portland deserves to have a park like this. This isn't a check the box park. It's really going to be an amazing, fabulous, high value park asset. It would not have happened without your leadership. I know commissioner Fish was also very, very supportive of this vision. He and his team continued that enthusiasm. but it does matter who champions these things in order to get it done and you've been relentless in championing this and everybody is going to benefit from it. It really is going to be one of those just extraordinary great places that everybody will be happy about. Very happy to support this and vote aye. The ordinance is adopted. Next item, 139.

Item 139.

Wheeler: We have Kim McCarty here from the housing bureau. Hello.

Kim McCarty, Portland Housing Bureau: Good afternoon, commissioners. I'm Kim McCarty with the Portland housing bureau. I'm here to give you a brief overview about this contract with the urban league and el programa. When reporting on the findings of the recent fair housing testing audit, fair housing council of Oregon provided the city with a comprehensive report with recommendations to increase access to legal services, culturally sensitive services, and provide incentives for private attorneys to accept fair housing cases. So in this contract with urban league that is what we're doing, and in response the collaborative has been very successful in reaching communities that historically have been reluctant to report out of fear of retaliation. To continue this good work we're increasing the budget by \$107,000, excuse me.

Wheeler: Bargain. It's on the record. Let's take it: [laughter]

McCarty: The amount needed to fully fund the program until the end of the fiscal year. We have some rental services office resources that remain unallocated and we feel they are best spent on this program. So, the current goal is to reach 55 currently underserved black and hispanic households that have experienced housing discrimination and will receive a suite of services that include fair housing enforcement, education counseling and rent assistance to ensure long term housing stability and with this funding the service goals will be increased to 20 households. So thank you for your consideration.

Wheeler: Thanks, Kim. Appreciate it. Could I ask one question?

McCarty: Yes.

Wheeler: Given the number of households and given the specific budget ask of \$107,000, what is actually involved in each of the engagements that's proposed? Could you walk us through the work the urban league would actually be doing?

McCarty: Yeah. First of all urban league is in a collaborative with the fair housing council of Oregon, laso and el programa, the clients are coming through the current ways that both of those programs are interacting with their clients, that's rent well classes. They have rent assistance, they have various programs, health programs, employment programs. So however a person is coming to them, they are listening to that client for fair housing considerations, because many of the fair housing issues, people have reported experiencing, are very difficult for even the individual to identify that that's what they've experienced. So urban league and el programa have trained their resource specialists to

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look out for that. To inquire further and then put those individuals in communication with either legal aid services of Oregon or fair housing council of Oregon, depending on the nature of the issue of the fair housing issue or a landlord tenant type of issue.

Wheeler: Great, thank you, commissioner Hardesty.

Hardesty: Thank you for your presentation. I'm curious as I look at the list, there are issues like -- like home repairs and home retention and financing and stuff that actually doesn't have to do with our people being discriminated against who are attempting to rent housing or purchase homes, and so out of the \$4.5 million, I'm kind of confused. If we're talking about fair housing -- the fair housing enforcement piece, I'm kind of confused whether so many other things mixed in it.

McCarty: I can explain.

Hardesty: Please.

McCarty: What you see in front of you was what we call the master ordinance, for the Portland housing bureau, it's any service contract that we have, if it's homeownership or rental services over \$100,000. And because this particular contract was in that mix and the amount was over \$100,000, we felt it was best to bring back the original ordinance, the master ordinance and amend it to indicate this increase for this particular budget, so it's a procedural method we use. In the future we will not do that because that creates a confusion you just expressed.

Hardesty: I would very much like to know is discrimination going down because of our investment or is it going up or is it going up because now people are more comfortable with actually complaining. I would love to have more information about just what are the outcomes that we're getting, and what changes we will need to make to make sure that people aren't suffering from that level of discrimination. Thank you.

McCarty: Yeah, thank you.

Wheeler: Very good, thank you, Kim. Any public testimony on this item, Karla.

Moore-Love: One person signed up, Shedrick J. Wilkins.

Wheeler: Wonderful. 3 minutes, please, name for the record.

Shedrick J. Wilkins: I'm Shedrick J. Wilkins and I may become a member of the urban league, I support this. My only comment about the urban league is it's on Russell Street where my ex-wife and daughter live, and on the east side there's a picture of African-American or people who support civil rights. So I told my daughter, she's 22, she's getting active in politics, she's a cancer survivor, by the way, at the age of 1, but she -- like me, she didn't like politics, so I said come, look at all these pictures on the wall there. I go, there's Martin Luther King, Nobel Prize in 1964, Nelson Mandela, Nobel Prize 1990, who won a Nobel Prize whose picture is not there. She said Barack Obama who won a Nobel Peace Prize in 2009. I will join and mention they should put his picture up there, he's -- there's another joke I have, is in September of 2017, after 10 months of President Trump, I went up to the Multnomah Democratic Party and asked why President Obama couldn't run for a third term. He had no scandals, not Bill Clinton. Michelle was a great first lady. Nobel Prize 2009, and he cannot run for a third term. It's funny how Putin can run for three or four terms but can only serve ten years. So I will join the urban league, I will ask that question, and I certainly don't want President Trump reelected.

Wheeler: Thank you, the group formerly the office of youth violence prevention is also on that wall. Very good. This is -- Commissioner Eudaly, do you have a question? This is an emergency ordinance, can you please call the roll.

Fritz: Thank you for your work, aye.

Hardesty: Aye.

Eudaly: I want to highlight the vital work the housing bureau is doing to ensure services reach historically underserved communities, through partnerships with culturally specific organizations like the Urban League of Portland and El Programa Hispano, PHB are

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connecting with community groups to provide service delivery and topic expertise, this approach is incredibly valuable and necessary particularly with fair housing. I want to thank director Callahan for working to address the problems identified in the fair housing audit, Kim McCarthy, from the housing bureau, who has led the fair housing work for years and the teams at the fair housing council of Oregon, legal aid services of Oregon, urban league of Portland, and El Programa Hispano, thank you for all your hard work, your dedication makes what we all do possible. I vote aye.

Wheeler: The goal of contract with the urban league fair housing collaborative, of course, is to reach underserved black and hispanic families. And it's trying a new approach by going with culturally specific service providers who have good relationships in the community. And they'll have what I believe is an exceptional ability to support families who believe they may be facing housing discrimination. So I support this concept, I support the increased funding, and I will very much look forward to seeing positive results, I vote aye. The ordinance is adopted, thank you all for being here for that. Next item is a second reading again, this is item 140.

Item 140.

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

Fritz: I acknowledge and appreciate the Portland freight committee working with the city to identify the high priority projects, and we realize how much they care about safety. We do need -- we are recognizing the balance of federal, state and local funds, the passage of this ordinance reaffirms Portland's support for ensuring the heavyweight trucks pay their fair share. Very small number of -- very large companies pay the bulk of the tax, I appreciate commissioner Eudaly and her staff for getting that information after the testimony last week. Very few companies are paying tens of thousands.

Eudaly: None of them.

Fritz: Right. Pay tens of thousands, paying annual \$48,900. It's based on income. So it's entirely reasonable to have -- those who are the biggest companies paying their fair share. And I will -- I'm very happy that we have restored the rate so that the gas tax which went to the voters last week and this are definitely part of the package. Aye.

Hardesty: I'm very grateful to commissioner Eudaly's office and her staff for actually following up with me after our last testimony. I did have concern about what we had heard in this chamber about the enormous costs to truckers. I found out that information was not exactly accurate, and I am very happy to vote in favor of renewing this tax. I vote aye.

Eudaly: The heavy vehicle use tax gives us some of the resources we need to deliver on pavement maintenance work that the freight community has asked us to prioritize, considering those maintenance needs are in part due to the use of those roads by heavy vehicles, asking heavy vehicles to contribute a fair share, which is approximately 13% of the cost based on a respected methodology used by the state of Oregon is the right thing to do, the vast majority of companies pay less than \$65 per month. There is an appeals process for companies that have a very low impact on Portland streets. Moving forward, we are committed to making sure that the program is more efficient and balanced. I do want to note I reached out to commissioner Novak during the last hearing because I was overwhelmed by some of the confusing information that was given in testimony, and I asked him if this fee was intended to expire in four years, and he -- I will paraphrase him. He said that while the tax expires in four years, you know, we created to be parallel to the gas tax. The fair share principle certainly does not expire, and it was never intended to be temporary. I want to thank you to whoever contributed comments, to my colleagues for their active collaboration. And the PBOT staff that deliver on our commitments every day, it's challenging this strike the balance between needs, wants, modes of transportation and the wide variety of opinions to how best achieve equitable outcomes for all users of the right-of-way. In this case, I believe we got it right. I vote aye.

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Wheeler: I've kept an open mind on this and want to thank commissioner eudaly and her staff and all the good folks at pbot who work really hard on this issue. This is obviously a high intensity issue when it comes to the truckers in our communities. I appreciate we have our good folks, hard working folks, and I appreciate the input they've provided. At the end of the day I'm persuaded this is the right way to go and I vote aye. The ordinance is adopted. Next item, also a second reading, 141.

Item 141.

Wheeler: Please call the roll.

Fritz: Thanks again to commissioner eudaly and her staff. Chris Ames the parking operations division manager. Very interesting presentation last week, and thanks to my MeeSeon Kwon on my staff who guides me on all things transportation. Aye.

Hardesty: Aye.

Eudaly: Just a reminder, this is a final contract extension for five years and pbot will begin a new rfp process before this expires in 2025, I appreciate all the discussion and questions from my colleagues the responsiveness from our city staff, thank you to Lester Spitler in procurement and Chris Armes in pbot for their work on this. I vote aye.

Wheeler: Aye. The ordinance is adopted. Next item, 142, second reading.

Item 142.

Wheeler: This is a second reading, any further discussion? Please call the roll.

Fritz: Thanks to michael jacobs the smart park general manager and to the operations of the smart park, I find them very helpful, aye.

Hardesty: Aye.

Eudaly: This is also a final contract extension for one year and pbot will begin a new rfp process this spring, I vote aye.

Wheeler: Aye. The ordinance is adopted. We are adjourned until 2 p.m.

Council recessed at 12:43 p.m.

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

Key: *** means unidentified speaker.**

FEBRUARY 12, 2020 2:00 P.M.

Wheeler: Here we are. Welcome, everyone. This is february 12 already, in the afternoon, session of the Portland city council. We're now in session. Karla, could you please call the roll. [roll call taken]

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

Wheeler: now we'll hear from legal council and the the rules of order and decorum. You can abbreviate if you want.

Linly Rees, Chief Deputy City Attorney: Okay. Good afternoon, 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 meetings so everyone can feel welcome, comfortable, respected and safe. We're not going to talk about participation as there's no testimony being taken today. If you are in the audience and would like to show support for something that is said, please feel free to do thumb up. If you want to express you do not support something feel free to do thumbs down. Please remain seated in council chambers unless entering or exiting. If filming the proceedings please do not use bright lights or disrupt the meeting. Disruptive action will not be allowed. If there are disruptions a warning will be given. After being ejected a person who fails to leave is subject to arrest for trespass. Thank you for helping your fellow Portlanders feel welcome, comfortable, respected and safe.

Item 143.

Wheeler: Very good. Is this the -- i'm supposed read this whole script today? Very good. We continue our work on the residential infill project. Before we begin I want to announce I own property in a residential zone. Products could be impacted by the residential infill project. I have no plans, no intent to redevelop or change the use of my property, however out of abundance of caution i'm disclosing this as a potential conflict of interest. Do other commissioners have any conflicts they would like to raise? Commissioner hardesty.

Hardesty: I don't believe I have a conflict. I'm a renter in the city of Portland. But just for the sake of who knows, maybe one day i'll own something. I will declare a potential conflict of interest.

Wheeler: Commissioner Fritz.

Fritz: In the olden days the rule was unless you were more personally impacted than anyone else you did not have a conflict. I live in the city of Portland. I own property in the city of Portland.

Wheeler: Very boring conflicts.

Fritz: I may have a conflict.

Eudaly: I live in the city of Portland and am a renter and thank you for explaining that because it did seem absurd to me that I would have to declare a conflict of interest. I guess there's a state law that we're trying to abide by.

Wheeler: It's a good thing you live here, otherwise you'd have a bigger problem. Next step, a recap. On january 29 council gave direction to bps staff about concepts for four technical amendments to the residential infill project and today we're going to continue that process. We'll hear from the bureau of planning and sustainability staff about additional amendment concepts that my fellow commissioners and I have heard from the public and have asked staff to further explore. I want to thank the bureau of planning and

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sustainability staff, housing bureau staff and legal counsel for their diligence to strengthen the residential infill project and bring it across the finish line as quickly as possible. I call on my colleagues to be judicious to narrow the scope of work for what is truly needed and what is possible for the residential infill project's final adoption. People can find summary of the concepts posted on the landing page on the bureau of planning and sustainability website or read along with the hard copies provided for those here today. The specific code language to reflect the concepts will be posted on the residential infill project web page on march 5. Council will then return on march 12 at 2:00 p.m. Time certain here at city hall to consider and vote on specific amendments language to the residential infill project. The record will reopen at the end of today's hearing and will remain open until close of the public hearing march 12. When the record reopens you can submit testimony about the amendments via map app, provide oral testimony at the march 12 council hearing, or mail testimony to the Portland city council. As a reminder the record has been closed since january 17 at 5:00 p.m. If you submitted letters or emails to members of the council when the record was closed it is not considered part of the record. I encourage you to resubmit that testimony when the record is reopened at the end of today's hearing. I'll turn this over to the bureau of planning and sustainability staff sandra wood and morgan tracy to walk us through the amendments.

Morgan Tracy, Project Manager Bureau of Planning and Sustainability: Good afternoon. Good to see you again.

Wheeler: Thank you.

Tracy: I'm morgan tracy, project manager. This is sandra wood, co-development manager with the bps, and joe zender, planner. We're back for part two of your review. Like our last work session we will present each amendment concept and ask by the way of straw poll for your general level of support. Staff will invest time and resources necessary to further develop these into full-fledged amendments. So there are 12 potential amendments to review. A description of these is available on the documents section of our project web side shown on the slide there. Our first amendment for review relates to infrastructure. The idea is to limit lots without a curb to one or two units instead of allowing three or four. For context, there are about 116,000 lots and rip seasons large enough for a triplex or fourplex. 8,000 are within the z-overlay zone, constrained by natural resources or hazards and are ineligible for three or more units. Additionally there are 1600 lots on gravel streets shown in red on this map as well as 15,000 or so on under-improved streets, without a formal curb. These are in yellow. The infrastructure bureaus have expressed getting the remaining improvements constructed on unimproved and under-improved streets can be very costly. Some of these costs may be due to cost to relocate utility lines or convey stormwater to an approved discharge point. Even engineering design for a small segment of street frontage is not so street forward so this cost is passed on to the home buyer. The planning economics chose to apply a standard that streets had to be paved/maintained to allow triplexes and fourplexes which would ensure adequate mobility. The infrastructure -- they determined the presence of a curb or otherwise accepted alternate design served as reasonable indication it could be justified and readily absorbed into the cost of development. This more conservative approach reduces the pool of eligible lots where three or more would be allowed to 77% of the total. Because house bill 2001 does not give discretion on where houses and duplexes are allowed this proposed restriction would only apply to three or more units. I'll leave it for you for discussion. Questions.

Wheeler: Commissioner eudaly?

Eudaly: I don't have a question. I just have a comment to share with my colleagues. I understand bps and pbot staff's concerns about supporting development on unimproved streets, however I want to ensure we're not excluding large parts of neighborhoods many of whom have not benefited from adequate investments. I don't want to exclude them from

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denser development. Rip provides for vibrant, walkable communities which should be available across the city. I have directed pbot to study allowing ltec to be used and habitat for humanity and naia. I would like bps to continue to work with my office as we prepare final language that meets our equity, climate and planning goals.

Fritz: I think I appreciate the sentiments and I think this amendment helps us provide an incentive to do the developers to do the improvements as they move along. The water bureau and I know environmental services is really concerned with the question of who would bear the cost of making the public improvements. As we know with the capital highway improvement project one of the main expenses is the stormwater management plan as well as the paving and other improvements. So I think this is a very reasonable way to be able to move forward with more attention to trying to focus density in those more walkable, livable neighborhoods where you can safely access where you need to go.

Wheeler: I appreciate the intention of this concept. We need to make sure housing is accompanied by whatever needed infrastructure investments there are. As commissioner eudaly indicated. I'm not clear yet that the number of units on the site is necessarily the right approach at this particular junction, but I will give the thumbs up and ask bps staff work with infrastructure staffs to be sure our policy is clear regarding how and where infrastructure improvements are provided within the building permit application. There's good work yet to be done. I support the basic concept.

Eudaly: In case it wasn't clear I also support it.

Hardesty: I think I understand what the concerns are that the cully community has raised and some other groups have raised, but again, I don't know that there's a magic number, and so i'm not bought in that three is the ideal number. Maybe it's four. I don't know. I look forward to you doing a little bit more work in helping us figure out if there is a magic number because absolutely agree I don't think we should not develop in places that we have lacked the infrastructure because it's not the community's fault they don't have the infrastructure, it's our fault that we don't have that infrastructure.

Wheeler: Any further questions from you of us before --

Hardesty: No. I think that's clear.

Sandra Wood, Bureau of Planning and Sustainability: We'll move forward on developing something more specific that works for the bureaus. so the next amendment is number 6. This has to do with deeper affordability bonuses. Moving off infrastructure talking about the price point of the units provided, as you probably recall residential infill project already includes a modest floor to area ratio bonus for creating one moderately affordable unit at 80% mfi, but you heard from the public that we should go deeper than what the planning commission recommended. As a reminder this slide shows the affordability, the rents for different units and 80% mfi, a family of four earning \$70,000. That translates to a monthly rent for a three bedroom unit into 1829 a month. So what this amendment would do is provide incentives for going below that to 60% income levels which is the column highlighted which means a family of four earning \$53,000. This next slide shows several things. A lot of things on that slide but to focus on today is the bottom callout shows the affordability bonus already built into the proposal. That's on the table right now. The top shows the concept for the deeper affordability bonus. What this concept does is based on testimony we received about calling for deeper affordability. It allows for four, five or six units in a building that's built to 1.2 far, and requires at least half those units be capped at incomes -- in addition it requires a second unit be visitable as opposed to just one. What this does, it guarantees affordable units and because it has a higher far allows for more family friendly units. Also on this slide you'll notice that the 1.2 far cap is smaller than what's currently allowed under the zoning coat which is that fifth house on the right. The zoning code allows for 1.35 and this would set a maximum of 1.2.

Fritz: Is there a difference in the height?

Tracy: There is a proposed additional five foot increase for the deeper affordability bonus.

Fritz: What would be the maximum height?

Tracy: 30 to 35 feet.

Wood: R2.5 zone there's already a 35 foot height limit.

Fritz: Five or seven?

Wood: 30.

Eudaly: I appreciate the beep. Staff has responded to staff and my office push for greater far for deeply affordable development. This is going to allow nonprofit and for-profit developers to build affordable housing in some of the city's most resource rich neighborhoods. It's very important to me that we support family sized affordable housing so i'm glad to see that that's a possibility there. In their letter anti-displacement pdx asked for this bonus as well as cet and sdc waivers and property tax exemptions. I'm happy to see this progress. They asked us to explore a bonus focusing on infill development and generating revenue from underdevelopment to build more affordable housing so I would like to ask bps to look into these ideas further and meet with my staff as the amendment develops before it comes back to council.

Hardesty: Thank you, mayor. I guess for me i'm concerned about us taking this route. From the beginning I was told this was not an affordable housing program. That rip was about creating middle housing. For the last year we have been having this conversation, we have been very clear about that this project, i'm concerned quite frankly that it's not enough units for cdcs to actually be able to unless they have like a block that they are going to be able to get the return on the investment. I'm very concerned that we're trying to take a model that was not intended to provide affordable housing and squeeze affordable housing into it. The way we do it now is if you've got 40 units and four would have to be affordable based on our current criteria I just don't know what we expect, how we expect to get a good mix of affordable housing if we're going to be doing it one house at a time. None of us will live long enough to actually see that we have had an impact on housing at all income levels. I actually believe this is not consistent with what we said rip was supposed to do, and trying to create an affordable housing bonus inside a program that was very specifically about middle income housing I think does a disservice. It promises something that we will not be able to deliver in our lifetime. I'm much more interested in how do we make sure that we're building housing that people can afford to live in as compared to a couple here, a couple there. We need a lot more housing and this is not going to get us to affordable housing or housing people can afford to live in. I do not think this is a good amendment. I do not think this should move forward.

Fritz: I appreciate both of my colleagues. Therein lies the rub. What are we trying to do here, we haven't really had a focused discussion on that for quite some time. I'm concerned about the size of units. I don't think we're really creating that middle housing if all we're creating is studio apartments. The housing needs analysis shows we don't need any more small studios and one bedrooms. What we're short of is three bedrooms and family housing. So to the extent that this amendment would tend to lead to eight small units rather than two larger ones again I agree with commissioner hardesty, it's going to a laudable goal but in the meantime impacting the other goals, which is the middle housing.

Wheeler: I'm going to make this interesting for all of you because we can have four members and we're going to split on this and i'll let you decide how you would like to proceed as staff since the purpose of this exercise isn't to vote, it's really just to give you guidance in terms of how to spend your staff's limited band width. Hearing some of the concerns that commissioners hardesty and Fritz have raised maybe there's another path here. I want to say for my part i'm very supportive of this approach. We heard this concept expressed by several community organizations including affordable housing developers and we also have a strong precedent in terms of adopting a similar amendment in better

housing by design. Personally I think it's important to keep these the better housing by design and rip in alignment. In my opinion this concept offers a needed flexible approach for supporting developers who are being creative in building affordable and I would use capital a, affordable housing throughout the city. While I would like to see the concept define mfi at the lowest end of the income spectrum as possible I also acknowledge funding and financing options are limited and complicated for affordable housing development. Because of this I do support the tiered approach, 60% mfi for 99 years for rental or 80% mfi for ten year ownership units. The structure still allows housing providers to utilize the bonuses for lower income households should they be able to do so. Preserves the most flexibility to enable them to create housing based on the resources that they actually have available. So i'll give it a thumb up to the concept. You've heard concerns my colleagues have expressed and i'll leave it to to you to see if there's not something you can do to address their concerns.

Eudaly: I'm a little confused by some of the comments that I have heard from my colleagues. I just want to clarify. This bonus would allow for family size units. We saw that on the image. Affordable housing developers such as habitat for humanity have asked for this, and said that they can build more housing with it. Other than waiving fees for these affordable housing developers I don't believe there's a cost to the city. Am I wrong?

Joe Zehnder, Bureau of Planning and Sustainability: No, it's as the mayor said, the pro forma if you look at the -- joe zender with the bureau of planning and sustainability. Excuse me. Both the 80% and 60% are going to take finance being brought by the nonprofit developer typically to deliver the unit.

Eudaly: My stance all along on residential infill is it will it generate the number of units we need to see and the kind of units we need to see which are more affordable units so I respectfully disagree with commissioner hardesty that there's not a place in rip for incentives for affordable units. It would just be a missed opportunity to not try to serve the needs of affordable housing developers and even private developers. I actually heard from a constituent recently he and his father are landlord and small time developers, been doing that for decades. They own some cheap dirt. They are not spending \$250,000 on an empty lot and they are committed to affordable housing. They thought this incentive wouldn't be available to private developers, which I understand it is. It's just we don't think many of them will take advantage of it. But once again I have said this before, there are a lot of people in our community that want to help with this crisis. Why would we prevent them from trying to do that? As to how many units this bonus will ultimately generate, one is better than zero, so -- I will fight for this.

Tracy: Perhaps when we return we can share more pro forma information and show how the economics of this works out.

Hardesty: I would appreciate that because after 12 years on the board of human solutions who builds affordable housing for very low income families, I know what it takes for nonprofits to actually put a funding package together, and it will -- with few exceptions I think it's a also challenging when you're talking about such few units because of how the financing works. There may be some nonprofits that have the capability to do that, but should we develop policy based on what a couple of nonprofits have the ability to do or should we be consistent and develop policy that actually meets the goals that we have laid out. That is the question that's in front of us. Quite frankly, those nonprofits that can do it will do it now with or without rip because they have that opportunity. I don't see any reason why something that has been designed for middle income families would now be shifted so that there are all these options. I think the community needs certainty and the more we say maybe you'll do this, maybe you'll do that, maybe that, we have all these options I think the more the community gets crazed because there's no certainty about where we're moving, how we're moving and what the process is for that.

Wheeler: Commissioner Fritz.

Fritz: I believe all the amendment we're discussing today have been requested by constituents. This commentary is evidence that I hope we'll take testimony on all of them whether staff needs to do more work or not. So far the public has had two minutes to testify on this entire package each person, we have been doing it seems like a thousand years, but i'm sure it seems like two thousand. But the public hasn't had much opportunity to weigh in. I'm looking forward to robust and interesting information and as the mayor says people can send in testimony whether they submitted it before or not and the more that people can send them to our offices ahead of time we can read the more detailed analysis and maybe spend more time listening to the public next time, not have to have a whole lot of staff presentation.

Wheeler: Let me ask a question of legal council. If you don't have the answer right away that's fine. If somebody has inadvertently submitted testimony in the record while the record is technically closed we're going to reopen the record, is there no way to consider that testimony even though it was submitted during the time that the record was closed?

Rees: The record will be open today. Anyone can submit that testimony into the record. Your neighbor submitted something -- if you received a pile of testimony and you want that in the record you could also submit it into the record. It's that while the record is closed --

Wheeler: It will not be excluded provided we bring it back into the record.

Rees: Correct. You might check with staff to make sure how they want that to come into the record.

Wheeler: Do you have thoughts on that since i'm on the subject?

Tracy: Typically the testimony has gone through Karla's office and she forwards it to us and we upload it. Mail is typically sent to her. Other testimony the public wants to submit through the map app online they can do so.

Fritz: I find the email directly to me rather than going to the map app and trying to figure out how to respond, that works better for me.

Moore-Love: You want to put it into the record then in between time?

Rees: Unless somebody submits it, no. If you received things during that period of time unless it's resubmitted while the record is open, no.

Moore-Love: They need to resubmit it.

Rees: Yes.

Fritz: We can resubmit it.

Wood: Yes. Went to one commissioner it didn't go to council as a whole.

Wheeler: Individually we could reintroduce it into the record. I'm sorry to digress, but I was curious about that since it got raised.

Wood: Closing up on this amendment sounds like we have a split vote. We will work on it. Our goal would be to come with for our next meeting with an amendment. We know the public will want to testify about this. They have testified about this and asked for this, so what we're trying to do is come up with a concept that we can move forward with and then you can debate and people can testify on it. If we don't add it as an amendment it's difficult for people to organize around it.

Wheeler: We're not killing amendments today, I want to be clear.

Wood: Not any?

Wheeler: The question is what do we want you to work on in terms of bringing back fully refined amendments. It may be later people raise new concepts or they say you guys took a pass on amendment x, and if there's overwhelming interest in having us take a look at that we can do that at a later date.

Zehnder: I think an important piece of information is we're preparing the full sort of text of the amendment so that when you have your hearing on it you can keep moving forward through the legislative process. If we don't have that sort of full text that the public can see

we'll have to pause, come back again and provide that text and have another hearing on it since we haven't had --

Wheeler: I want to acknowledge you can't do a full work-up on every single amendment submitted. Today is really to cull your work. I want to be clear for the public hearing if there's -- you guys are not going to do further work on something really important to me. I wanted people to understand when we do open this up for public testimony there may be other amendments that we choose to revisit based on that testimony.

Hardesty: Is it safe to say that after we have passed rip we still have the opportunity to make changes down the road if we as we're monitoring it and we see that maybe we should have done x, we didn't think about this, now that it's being implemented we will always have that option. Is that correct?

Zhender: That's correct. Another legislative process.

Wood: To a certain extent. If we allow for -- i'm going to ask our city attorney, if we allow for fourplexes on all lots and later decide it should be threeplexes we can't roll that back.

Hardesty: But you can roll up.

Wood: Up but not back.

Hardesty: That's good to know. I don't think we actually talked about six units on a property, eight units on a property before, have we?

Wood: No. That's not part of this concept either. We're talking about six in this concept. Speaking to what you had said earlier, I think we struggle with this in our code team of do we put this in the code knowing that it's not going to be used very often?

Hardesty: That's my fear.

Wood: So it might not be the primary reason for the residential infill project, but because we heard so loud and clear from nonprofit developers and cdcs, the 1.2 far came to that. If we put it in there what's the harm is the other side of that, right? What's the harm? If someone could use it once or twice like commissioner eudaly said, one unit is better than zero. Two units are better than zero. I understand where you're coming from.

Hardesty: For me I didn't want to falsely raise expectations that somehow after we passed this we would see all kind of housing that people could afford to live showing up all over the city of Portland. So thank you for that. That helps me feel more comfortable because I really did not want to raise expectations that this was going to be the solution. We have said that over and over. This is not the solution.

Wood: It's just a tool that nonprofits could use and 43% of the city. That's another part of this is the map of all the yellow and how much single dwelling zone we have so it opens up more opportunities in more areas.

Wheeler: Historic resource.

Eudaly: If I could add one more thing, one more thought, I appreciate the dialogue for sure. When the supreme court ruled I think in 1917 that it was unconstitutional to deny the sale of real estate to someone based on race, we saw cities across the country implement zoning codes and zoning codes became a proxy, income became a proxy for race. I do think there's an important place in this conversation for affordable housing. We want more people of all income levels to have more choices about where they live in our city. So to me this is a central part of the conversation.

Wheeler: Historic resource demo.

Tracy: This concept would add a restriction where historic resources demolished without prior to council approval. Because it's already a requirement in historic districts this primarily is in conservation districts. There are approximately 1750 sites. The restriction limits the redevelopment options to a how or duplex when the resource is demolished without council approval.

Fritz: This is to be consistent with better housing by design.

Tracy: That's correct.

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Eudaly: I would support staff looking into this concept and bringing back an amendment for us to consider. I support steps we take to promote internal conversions and preserve quality older existing homes. I think I share concern with commissioner Fritz and other community members that we may see an uptick in demolitions due to rip and I understand that some of the constraints we have put on the size of buildings that can go on these lots are designed to mitigate that but I think this is another way we could potentially mitigate or encourage creative reuse of existing buildings.

Hardesty: Thank you, mayor. I just think because this is consistent with better housing by design it makes sense for us to have an amendment to review around that.

Wheeler: I'll give this one a courtesy thumbs up. I would like to encourage developers and housing advocates to give us more information on this and to testify early on this concept. I'm somewhat skeptical about whether this is needed or strategic within the confines of residential infill, but I would like to hear more on this.

Wood: Thank you. Moving on to the concept for amendment 8, as you know the planning and sustainability commission recommended that the city not require parking for single dwelling zones. Part of that is that they also recommended that garages not be allowed on the fronts of narrow houses. The primary reason was to preserve on-street parking in front of properties and to preserve space for street trees. This amendment would reverse that and would allow at least a 12 foot garage on all houses.

Fritz: I worked on this so-called regulation when I was on the planning commission in the 1990s. It seems to me those are old skinny lot houses that don't comply with the current zoning code.

Wood: The picture on the left?

Fritz: Well, several of those. The front door is set back and there isn't a porch. So I continue to be concerned about having places for people to recharge their electric vehicles, and most lots in Portland don't have access from the alley, so changing from the code as it is today, which is working well and has resulted in development that does fit in with neighborhoods, I don't -- I support this amendment because I think it is needed and the status quo is not causing problems.

Wood: I do want to clarify that there's two standards today. Very wonky. There's one standard for the old historically plotted lots which do allow a 12 foot garage currently and there's a different standard for new narrow lots created after 2002. That's just because of the way the legislation worked out at the time. One of the points of agreement we had on our stakeholders advisory committee, let's not have two standards for the same size lots. Let's have one set of standards. The way the planning commission landed was --

Fritz: It was before bill 534 passed so potentially we'll have more skinny lot developments. I think we could possibly do both and still allow a single garage so that people can park their electric cars.

Wood: It doesn't change the fact if you have 20 foot wide -- 25 foot wide lots and a garage that an on-street parking space is eliminated for that curb cut.

Fritz: It's very difficult to plug in a vehicle parked at the curb.

Eudaly: Thank you, mayor. I agree with commissioner Fritz that we do need to solve the problem of charging, our lack of infrastructure for electric vehicles. I don't agree that that means every home needs to have a driveway or a 12 foot garage. This conflicts with our city's transportation policy and climate goals, garages reduce living space and inhibit active front yards, increasing the cost of housing while reducing street parking. For those reasons I cannot support this concept.

Hardesty: I also do not support this concept. It's increases with the vision that we have that we're moving forward to. I think that we could talk about community charging stations for those fortunate enough to buy electric cars. Most folks in my neighborhood are a long way from that but if there's a concern about people having their vehicle charging stations

what a great opportunity for community members to create business opportunities to do just that. So I have no -- I don't support this and I would not want you wasting your time trying to figure out how to add garages back.

Fritz: It would just be keeping the current code. I'm not asking them to do any work on it either.

Wheeler: Then we're in agreement. I don't think you should move forward.

Tracy: Okay. Amendments 9 and 10 are similar in that they each propose a certain affordability band-aid. The first when a unit is redeveloped at least one of the new units be available at that income level. The second specifies in order to develop three or more units one must be affordable at 60% mfi. The challenge in each of these proposals beyond economic feasibility is a the state preemption on rent control and mandatory inclusionary zoning. In this case affordability requirements are only applicable with 20 or more units. Cities can offer incentive packages like bonuses but cannot set bonuses

Fritz: Commissioner eudaly pointed out this morning about the displacement that's happened in lents, homeowners and renters. My reading of these requests that were made from the community are to address that issue. I disagree with the -- I don't think this is inclusionary zoning. We don't have to allow triplexes. We could incent providing -- incent providing at least one affordable unit by allowing a triplex where we wouldn't otherwise.

Eudaly: I love this idea. I love the intent of it to protect below market rents in redevelopment situations. But I guess I share the concern that it could be seen as a taking or form of rent control and it wouldn't be allowed at the state. If that's not the case I would support it. If it is the case then let's go lobby salem. [laughter]

Fritz: Claim an incentive to allow three units then it's not inclusionary zoning.

Wheeler: My concerns is completely based on advice from legal counsel. I'm concerned this would qualify as a required affordability which philosophically i'm not opposed to but in the context of state statute i'm opposed to it if it calls into question the legality of rip. I would not want staff to work on a concept that legal counsel is advising strongly is contrary to state statute. If we want to take it up later, separately, i'm okay with that, but I would be very reluctant to take that up in the context of the whole body of rip and that's what legal counsel is advising us. Unless somebody has countervailing evidence.

Eudaly: Just so I understand, we would be restricting a developer who if they didn't have to take down a house that was affordable at 80 mfi or below they would be able to build one thing. If they did take down a house currently affordable 80% mfi, they would be restricted.

Tracy: The proposed amendment language is not totally clear. It's still concept level, but the idea would be this no net loss of naturally occurring affordable which translates to rent control which we're preempted from exercising. Challenging to implement. I think countervailing concern would be if we set the limit on triplexes if we took that angle then we are essentially making the case to build nothing but duplexes because getting to a triplex makes it less feasible than building a duplex.

Eudaly: Okay.

Wheeler: That's interesting.

Hardesty: Are you clear about that?

Wood: I'm hearing we don't pursue this and keep working on 9 or 10 and we move on to number 11 today.

Hardesty: That's what i'm hearing.

Wood: Thank you. Number 11, this is about limiting three or more units to the r2.5 zone. As you know the planning and sustainability commission recommended allowing four units on most lots. This amendment would limit triplexes, fourplexes and multiple adus to sites zoned r2.5. This map on the screen shows the existing r2.5 zoning in the city. The orange is what's already there. The purple is the rezones that are already included in the

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residential infill proposal. Together they only account for 10% of the city's total single family residential zones. Also staff doesn't know whether this amendment is consistent with house bill 2001 which calls for allowing housing types not duh duplexes at least in areas zoned for residential units. If we limited it to only one zone we're not sure we would be complying with the house bill.

Fritz: You won't know until the end of this year until the rules come out. We don't know the definition of area. Just looking at the map, there are in each quadrant of the city r2.5 zones which could be potentially taken as such. The reason I believe this was proposed is because in the comprehensive plan map in 2016 we considered where do we actually want more housing and we have multiple policies in the comprehensive plan encouraging more development on corridors and places with good transit and good services including sidewalks. So that's what this would get to.

Hardesty: So I guess why would we be limiting the number of units that we could build all around the city? Because people will have to drive because they can't get to transit. Drive, bike, walk, expand public transit. Those kinds of things, right? I'm not feeling the need to limit where we build housing. You know, it's like there's a lot of areas that have built up and hopefully we put pressure on trimet so we're expanding public transit opportunities, but just to say -- this particular zone is the only place we can do that just doesn't make sense to me so I would hope you not spend a lot of time trying to figure out how to make that work.

Eudaly: I don't support it either. My understanding is it's in conflict with sb2001, and density drives transit service, so to limit density because there isn't existing transit means we may ever see transit in those areas, and if I have anything to say about it, we're going to see massively expanded public transit system. So I just wouldn't support this.

Wheeler: I also don't support it. It undercuts the entire purpose of rip. Ill state again for the record this is a longer term vision for the city. If we have to peg our long term vision around the current status of public transit in our community, we're in a heap of trouble. So I think we should both expand the opportunities for the diversity of housing and where that housing exists and we should also encourage our partners who provide transit services to be bolder in their thinking about their vision for the future.

Fritz: I'm not surprised by any of these discussions. I will point out that the comprehensive plan directed the residential infill project done on centers and corridors. It was expanded by the planning commission, planning and sustainability commission. There are multiple policies in the comprehensive plan that I will be very interested to see how findings will be written to support the essentially doing away with zoning in single family zones.

Wheeler: Joe, what do you say to that? That's a strong argument.

Zehnder: I think there's a couple of tacks on this. If you remember the diagram we showed when looking at the deeper affordability we really have constructed between this project and better housing by design and the work you previously did on the mixed use zone, this spectrum of intensity of development. In the centers and corridors that's where you have mixed use and your multifamily. What we're doing with residential infill is not so much -- increasing housing options in that 45% of our land source that is single family today, we believe we need to do that to take pressure off of the housing supply and housing costs. We believe that we have done that in a way that stays consistent with our infrastructure capacity and still most of the development, most of the units are still in centers and corridors aligned with transit. This is a general raising of the bar not necessarily needed to meet 2035 growth projections but for sure needed to get to our longer range objectives after that both carbon and growth.

Wheeler: Thank you.

Tracy: Concept 12 is related to the anti-displacement action strategy and its timing. This calls for delay on decisions related to residential infill project until the city completes and funds city-wide anti-displacement strategy. This is misguided as evidenced from the

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displacement risk analysis rip effectively reduces redevelopment pressure and lowers the risk of displacement relative to the status quo. The map shows displacement risk is reduced pretty much throughout the city except for three exceptions in three neighborhoods. In those three neighborhoods that increase is relatively low. So rip is part of the tool box to address displacement. You heard that in your testimony. There's a high cost of not doing things today with rip.

Hardesty: Thank you, mayor. I think what we also heard and I have certainly talked to a lot of members of the anti-displacement committee is that they do not want us to slow down. If we slowed down they have a bigger fear of us slowing down than they do of us moving forward passing rip and then making a commitment to ensure that the oversight committee is as robust as possible. I talked to the members because I also if you may remember when you were presenting I was pushing you get that committee up: So I went and double checked and they agree that they just were not ready to do the work they needed to do yet. They had internal work that those organizations needed to do to be prepared to be part of this work group. I agree with your assessment this is not necessary because there's no need to delay the process when the folks that are on the committee agree that it has to move forward and they are willing to go along with this process and this timeline.

Wheeler: Commissioner eudaly.

Eudaly: Everyone knows that I would have preferred we have this work done to move forward side by side with rip but we work closely with community including adpdx, and they have strongly signaled to us that they do not want this to hold up rip. We have also heard from representatives of at least one of the neighborhoods that may be likely to see increased displacement that they also don't want to hold up the process. They don't want their neighborhoods exempted. They want us to move forward and of course they want us to also hustle on the anti-displacement plan. I don't support this item.

Fritz: The map shows once again the city of Portland will be disproportionately impacting low income communities and communities of color.

Wheeler: I disagree with the preferred sequence that's requested here. I want to note that this seems counter to a lot of testimony we received including from anti-displacement activists who tell us to move forward. I want to acknowledge that this is not something we're putting on the sideline or back burner. Bps is working with other bureaus, my staff, commissioners and community partners to institutionalize a city-wide cross-bureau approach to displacement. We began that funding through last year's budget and I believe commissioner eudaly put some packages together to work with bps and the housing bureau and others. We have seen through bps's analysis that the rip is a type of anti-displacement solution that over all improves the status quo. While we also acknowledge that in three neighborhoods I believe brentwood darlington, montavilla east of 82nd and lents there is in fact some additional displacement of communities of color. That is something we are concerned about and we do need to continue to address that. I also don't want to overstate it. I believe it was 44 units of displacement over a 15-year period. I have great confidence that we can address a problem of that scale. I want to say how much I appreciate our bureaus working together with community partners to make sure we have better data about forecasting how much and where that displacement is going to take place and also focus on our capital planning going forward. I believe we need to continue to institutionalize this practice and hold ourselves accountable. Therefore I would not support slowing down the process to address this question.

Wood: Thank you. Thank you. The next one, number 13 has to do with disincentive fee for demolition and/or removal of trees. Calling for adding a demo fee when a house is demolished and increasing fees for tree removal. Regarding the demolition fee as you may recall demolition fees were considered by council in 2015 when we were at a peak of the number of demolitions that the city was seeing, at about 400 houses being demolished at

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that time. Considerably less now. And at the time it was not pursued in part due to concerns that the cost of the fee, the disincentive, would be passed on to the home buyer or renter when something is built in its place. Regarding the tree removal fees our position is that these are more appropriately considered during the tree code work that bds and urban forestry division of parks is under way doing and it should be more comprehensive not just for the three zones that we are talking about in residential infill.

Wheeler: I'll defer to your recommendation. The tree issue is one we will have to take up. If you're saying take it up within title 11 I have no dispute there. I continue to have meetings with community partners on all sides of this issue around the tree issue. I do look forward to having that conversation. It's one we need to have.

Eudaly: Same.

Wheeler: I don't see why it needs to come up within rip.

Tracy: Thank you. We're getting there. Number 14 relates to the system wide impacts of the senate bill 534. This bill was passed last year which requires cities to approve development on substandard size platted lots. This is an amendment that would require the city to evaluate the infrastructure capacity for an area if all the plats were to be fully built out. If the city determines it would exceed available capacity then the city would restrict development. Senate bill 534, however, requires the city to allow at least one dwelling unit on each platted lot unless the city determines it cannot be adequately served. The decision is made at the time of development with each permit. The process includes systems check for availability and adequacy of infrastructure which is checked at the building permit stage so the issue is bill limits our ability to restrict development on the condition of future condition of adequacy of the services in that area.

Fritz: Bureau of planning and sustainability argued against it. We need to find more information. The bureau environmental services was not able to send me any documentation about their analysis of this issue in 2016 or the residential infill project and the reason I know this is an issue because it's already been adjudicated by land use board of appeals in 1983 I believe it was that there was a single lot that was going to be developed into two houses but only zoning was for one. It was in a skinny lot area. There was a study done, Portland parks study in 1979 which I put into the record which said that the area couldn't develop at the intensity that if it went area-wide that this upzoning would have because the interceptor -- the sewer interceptor in tryon state creek park would not manage it. I think we're asking what is a sewer interceptor? It's a component of a sewer network helping control its flow. It receives the flow from trunk sewer lines and sometimes from stormwater runoff and directs it to the wastewater treatment plant. It is amongst the larger lines of a sewer system. So this particular interceptor is located in tryon creek state park and goes to the tryon creek wastewater treatment plant, not to the columbia boulevard one we were talking about this morning. It would be practically impossible to get land use approval to dig up that interceptor and make it bigger and therefore we ought to be looking at area-wide what is the carrying capacity of the land and that's a fundamental principle of planning, what's the carrying capacity. In this case what's the carrying capacity of that sewer.

Tracy: There's a couple responses to that I think when we start talking about sewer interceptors I get looking over my shoulder, my bes partners may help explain some of the details of that. But I think the ultimate question comes down to state preemption. While the reason we haven't considered this in terms of a good planning is the senate bill doesn't give under the circumstances a lot of options. I would just offer that.

Shannon Reynolds, Asset Manager for Bureau of Environmental Services: Shannon reynolds, asset systems development manager for bes. I manage a group of stormwater hydraulic system analysis folks who produce updates of our system based on all sorts of assumptions that determine the capacity of our system and influences of land use on our

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system. So in 2010, we updated an analysis in this area for the tryon creek interceptor. We based it on new information and some diversions that were done out of that basin, currently don't see a capacity issue in tryon creek interceptor for our sanitary flows. Using future development scenarios that we align with or receive from bps we start to see some capacity issues but not as consequential as we once did earlier before that analysis was conducted.

Hardesty: Thank you. Aren't systems development charges supposed cover the cost of infrastructure improvements when somebody is developing a --

Fritz: You're buying into the current system, not buying new upgrades.

Hardesty: You're buying into the system for utilities so whoever is providing the utility is what you get.

Fritz: You're buying the access to the current pipes.

Wheeler: Wait.

Reynolds: Commissioner Fritz is correct with the utilities. Bes and water you're buying into the existing system.

Hardesty: But i'm assuming that the cost of sdc's is calculating what's the additional pressure being put on public resources, right? Says calculated based on the totality of the impact you're going to have, right, either currently or into the future as development continues. Is that accurate?

Reynolds: Yes. We just use our -- the past capital costs, the methodology we use looks backwards at what we have already spent on the system but there's a forward looking element built into that methodology. In terms of what our future capital program, our estimates are for that out five and ten years.

Hardesty: Thank you. Very helpful.

Wheeler: Thanks a lot. Shannon, thank you too. Any further discussion?

Hardesty: I think for me I would just say no at the moment. Especially we're talking really skinny lots. I don't see if we're building a house on it because we're mandated by the state I don't see that there's going to be a significant impact on the infrastructure for that. So I don't need any additional information on that.

Wheeler: Happy to defer to staff on that.

Tracy: I think it's sort of to add to this conversation a little bit forward thinking and beyond essentially residential infill what this means for our infrastructure bureaus in terms of senate bill 534 is there's additional work to be done in terms of forecasting growth in those areas. It's an issue that's not going away, it's not something we can necessarily codify as part of this project.

Wheeler: She has no time this month to do it but at some point i'm going to have government relations and elizabeth edward review the record. I'm hearing lots of opportunities for coordination with the state.

Fritz: They were not interested in coordinating with us when they passed senate bill 534.

Wood: That is true.

Wheeler: Sorry to hear that.

Wood: What morgan said about the preemption, that's basically what they did and as commissioner Fritz mentioned before we were not supportive of the senate bill when it was going through as a city, correct? So what we have now is basically a rule that says don't treat any pre-platted lot different than any other lot.

Wheeler: Okay.

Wood: That's what we're trying to codify and make sure it's clear.

Wheeler: Got it.

Zehnder: I believe we have a fail safe in the system too. At the building permit stage they can still look at issues that emerge. But as far as the entitlement to build the lot, we're preempted at the state level.

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Hardesty: Have the state rules been written yet?

Wood: There won't be state rules for this one.

Hardesty: Oh, lovely.

Wood: As joe says imagine a lot coming in on gravel road that doesn't have utilities and they come in for a building permit. Our departments will be reviewing it, saying, where is the water line? There's no water line. You need to extend it.

Wheeler: I'm certainly looking forward to the discussion on this next one.

Wood: Oh, the next one. Number 15. That's mine. Yes. So this is a request that came in through testimony to change the zoning in an area in the concordia neighborhood. It's shown on the map so I won't give a description. The current zoning is r5 and the request is it go to r2.5. The area is a little unusual in that the lots are 4,000 square foot sites instead of the typical 5,000 square foot sites in other areas of Portland.

Wheeler: Historically why is that?

Wood: Whoever did the subdivision in the '20s decided that's what they wanted to sell so they subdivided it that way. The issue that was raised in the testimony, why is the 4,000 square feet in their view is a problem is that the minimum lot size for triplexes and fourplexes in the r5 zone is set at 4500, which means that these lots would not be large enough for a triplex and fourplex. So this amendment request is to change it from r5 to r2.5. There are about 500 properties in this area. While we don't necessarily object to this rezoning we have a question really about the timing and process. We're concerned that the property owners have not been notified of this proposal or they haven't been afforded the opportunity to testify at the planning and sustainability commission. In this project for residential infill as you know we had as in every project people are -- the we were trying to keep this let's fix the tool and work on the map later. So we feel like this rezoning could better be served with an area specific project in the future.

Wheeler: Would it be your intention if i'm hearing your -- it sounds like you're saying hold off, wait until there's an area specific planning exercise that is done and you would come back with a map amendment?

Wood: I'm not proposing that's on our immediate work plan, i'm just saying --

Wheeler: I'm hearing you say you would like to talk to the neighborhood before you do it which strikes me as eminently sensible.

Zehnder: There may be other lots in the similar situation. We need to take a bigger look. It's not right to squeeze it --

Wheeler: This could be 20 years out. This is an area planning exercise that has not even been scoped at this point.

Wood: Correct. Or funded.

Wheeler: That's helpful. Thank you. Commissioner Fritz.

Fritz: Over to the staff and my staff have had multiple discussions about this and the response on this one I agree with. I do think that there may be another project in the not too distant future that should look at this because I felt chagrined that we didn't notice this area in the comprehensive plan process because it's close in, it's got good transit, looks like an ideal place to have more homes built. I agree to defer it and do it in the next one.

Wood: So number 15 doesn't move forward. 16.

Tracy: Number 16, amendment 16 calling for excluding triplexes and fourplexes from dead end streets. This came up in your testimony. The fire bureau notes the level of development authorized by residential infill doesn't rise to the level where two means of egress are required. Such as commercial developments that are taller than 30 feet, buildings larger than 60,000 square feet and residential projects with more than 200 units. By comparison we're talking about 3,000 square foot triplexes and fourplexes roughly 30 foot height. For most of these streets we won't get anywhere near 200 units. Building size

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and housing units for rip are well below the threshold and can be adequately addressed by the fire building requirements during the review process.

Hardesty: I talked to the fire marshal and the fire chief. Those huge trucks can turn on a dime. They are not having any problems getting to fires on dead end streets. I'm not sure where the amendment came from but it's not an issue for fire at all.

Wheeler: This was my fault. There was some testimony and I thought it was actually very compelling testimony or at least I thought it warranted follow-up because somebody had explained they felt that being on a dead end street some of the increased density could potentially create a public safety or health hazard so I did ask that we look at this and commissioner hardesty, your office was very, very helpful as was the fire bureau. I want to appreciate them. It gave me an opportunity to learn from the city's experts on to what degree there are hazards on undeveloped streets, on streets that end in a dead end or cul-de-sac and how we actually respond to those. I was very pleased to hear overwhelmingly that the residential infill project does not put residents or city personnel at greater risk on this matter. There's really no higher expert that I could think of going to then the fire bureau leadership themselves and their assessment is that this is not an issue. Therefore I would not support bps staff continuing to propose an amendment to exclude these particular areas from rip.

Fritz: If I might provide historical perspective, this particular street was subject of a lot of testimony during the comprehensive plan process. At that stage the fire bureau did have concerns about adding more units on a long, long dead end street. So when we have already had a legislative process that has looked specifically at an issue to then obviously the council didn't make that decision. Again, I feel like the infrastructure for having capacity concerns on undeveloped or under-developed streets it seems life safety issues are inherent and would cause neighbors to testify although we said none of these thumbs up thumbs down decisions today means people can testify at the next hearing. My colleagues might find it interesting to hear the description of this street and why neighbors remain concerned despite assurances from the fire marshal.

Eudaly: The testimony provided previously by one of the residents of the street did raise concerns for me. But I deferred to commissioner hardesty and the fire bureau. I looked into the street specifically and don't believe that there are concerns that would warrant removing it from rip.

Wheeler: I'll be very clear. If the fire bureau told me there was a life safety issue and we needed to exempt it I would in a heartbeat, but that's not what i'm hearing.

Wood: Okay, finally is amendment number 17, front setbacks. This seeks to increase the front yard setbacks to match the setbacks of the adjacent lots. A version of the proposal was included in the proposed amendments to the planning and sustainability commission. They heard a fair amount of testimony about it and ultimately recommended removing the proposal. Their main issues was that increasing the front yard decreases the backyard setback if you want to get the same size house, and it's less flexible and could negatively impact the ability to retain trees which are typically in the backyard also. For these reasons we wouldn't support it. Reintroducing it.

Wheeler: I don't hear any strong objections to that logic.

Wood: Okay. Thank you.

Wheeler: To not bringing it back. It's overly prescriptive. Whatever you do on the front yard will have an impact on the backyard.

Wood: That was our last amendment concept. Yayyy:

Wheeler: Well, thank you, team, for your work to develop these concept amendments. Thank you, sam. I appreciate the dialogue in this public meeting with my colleagues. As always it's very interesting. I ask my colleagues to continue to keep this scope of work focused and disciplined so we can deliver a proposal that allows middle housing in single

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dwelling zones. For the concepts that have been continued on I want to direct bps and my staff to continue working with our community partners, builders and neighborhood associations, my office will continue to be reading and listening to all testimony submitted on record. Council will return on march 12 at 2:00 p.m., time certain here at city hall to further act on amendment language to the residential infill project. The record is now open and will remain open until the close of the public hearing on march 12. You can submit testimony about these amendments via the map app, provide oral testimony at the march council hearing or of course you can mail testimony to city council or email testimony to city council. However you want to get it here. The hearing is limited to three hours and therefore council may not be able to hear from everyone who attends. I encourage you to submit your written testimony in advance of that hearing to ensure that we consider your testimony before voting on the amendments. Anything else I have forgotten for the good of the record?

Hardesty: I want to really appreciate all of you. The amount of work that you've put into this has been pretty phenomenal. The fact that you're still actually able to separate amendments just boggles the mind. Just thank you for the work you've done. The thoughtfulness that you put into this process. I greatly appreciate each and every one of you and look forward to us getting to the result. Thank you.

Fritz: On that I believe we have complete agreement. Thank you.

Wheeler: Thank you.

Eudaly: Are we about to adjourn?

Wheeler: Yes.

Eudaly: I want to thank bps staff for working tirelessly on this for years. Thank you, joe, for always being willing to answer my many, many questions. And of course to morgan tracy and sandra wood. Thank the community groups that have been paying close attention to this and helping hold council accountable. In particular thank you to the organizations that make up pdx and neighbors welcome. As we move to the next step and open for public testimony i'll be evaluating with a strong focus on racial justice, disability justice and environmental justice. I strongly support creating more housing opportunities for everyone and I look forward to our final conversation on this project.

Wheeler: Great. Thank you, everyone. We are adjourned.

Council recessed at 3:21 p.m.

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

Key: *** means unidentified speaker.**

FEBRUARY 13, 2020 2:00 P.M.

Wheeler: This is the february 13 afternoon session of the Portland city council. Good afternoon. Please call the roll. [roll call taken] now we'll hear from legal council.

Naomi Sheffield, Deputy City Attorney: 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 so everyone can feel welcome, comfortable, respected and safe. To participate in meetings you may sign up in advance with the council clerk's office for communications to briefly speak about any subject. You may also sign up for public testimony on resolutions or first readings of ordinances. Your testimony should address the matter being considered at the time. If not you may be ruled out of order. When testifying please state your name for the record. Your address is not necessary. Please disclose if you're a lobbyist. If you're representing an organization please identify it. The presiding officer determines length of testimony. Individuals generally have three minutes to testify unless otherwise stated. When you have 30 seconds left a yellow light goes on. When your name is done a red light goes on. If you are in the audience and would like to show support for something that is said, please feel free to do a thumbs up. If you want to express you do not support something, please feel free to do a thumbs down. Please remain seated 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. A warning will be given that further disruption may result in the person being ejected for the remainder of the meeting. A person who fails to leave is subject to arrest for trespass. Thank you for helping your fellow Portlanders feel welcome, comfortable, respected and safe.

Wheeler: Thank you. We have two items. 144 and 145. Could you read them both together, please.

Items 144 and 145.

Wheeler: Very good. Commissioner eudaly.

Eudaly: Thank you, mayor. Today is a very exciting day for my office and for pbot, and for the city of Portland. I have pushed to address transportation's role in our climate crisis. The facts are undeniable. Climate change is here. We're already experiencing its consequences, and it hits our most vulnerable community members hardest. We know that transportation is a massive contributing factor to the climate crisis. In Multnomah county 42% of our emissions come from the transportation sector and these emissions are on the rise. We must reverse this trend if we want to come close to meeting our climate goals and avoiding the devastating impacts on our community. In order to reverse this trend we need to dramatically reduce the number of combustion engine trips Portlanders take and fast. By 2030, that is just ten years away, that means we as a region must make 250,000 fewer trips each day by car than we do today. On average we need people to drive half as much as they do now. For some of us who live within walking distance of frequent service transit lines, we could accomplish that goal today. We could choose to take transit, walk, bike or use another transportation option. Others face more challenges and barriers to reducing how much they drive. Challenges that become increasingly insurmountable as congestion worsens, housing becomes less affordable, and the wave of displacement continues. We

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cannot continue to ask people of color, lower income individuals and other underserved communities that don't have these transportation options to shoulder the burden of achieving our climate goals. Instead we need to encourage Portlanders who have options now to make the right choice. Get out of your car and get on to transit whenever possible. For those in our city who have been displaced, have limited options and are already experiencing a transit system stuck in traffic on a daily basis we need to make their journeys faster and more reliable to provide access to jobs and opportunities. That's why the rose lane project is so exciting. It's an unprecedented vision that will help take big steps toward meeting our climate, equity and transportation goals. To give you an idea of what we are aiming to achieve, the rose lane project will improve trips for more than 100,000 current transit riders on the more than 45 trimet bus lines and Portland street car lines that will benefit from rose lane treatments. It will make buses and streetcar trains faster addressing the over 4700 hours of combined passengers delay experienced daily in our city. It will increase access to jobs including making up to 25,000 more jobs available to Portlanders within a 45 minute commute on transit. That's access to 24% more jobs than today on average when measured city-wide. It will reduce carbon emissions and improve air quality by encouraging people to get out of their cars on to a faster, more reliable transit network. Big action on climate and equity requires big moves. This is one of those and i'm proud to bring these items to council for adoption today. So before we move on to our panel, I have two orders of business to put on record. First I need to make an amendment to the resolution. You should each have had a copy in front of you. After conferring with our internal advisory group they asked us to make edits that would clarify what we would be using traditional traffic modeling for to determine potential treatment for phase 2 of this project. The concern was that traditional modeling is effective for determining what would happen to traffic at a static moment in time but not as helpful for predicting behavioral changes. We're replacing the 6th further be it resolved with, it's long and tech, pbot staff is directed to take a pilot approach through the rose lane project. [audio not understandable] prior to pilot project installation, use limited micro traffic simulation modeling analysis on complex locations to primarily help understand potential safety and transit delay conflicts. Primary focus will be to deploy a ground pilot project to test, monitor and inform more detailed refined understanding of transit treatment, performance and impacts based before and after data collection of better off measures and performance metrics. This may lead to modifications to pilot projects to better meet the goals and objectives.

Wheeler: Is there a second?

Hardesty: Second.

Wheeler: Motion and second. Do you regard this as technical?

Sheffield: I would.

Wheeler: Call the roll, Karla.

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

Wheeler: Aye. The amendment is adopted.

Eudaly: You have the new version in front of you. This substitute is mostly intended to correct minor editing oversight and add acknowledgements but there are two substantive changes based on council feedback that april bertelsen will explain during her presentation.

Wheeler: Do we have a second?

Hardesty: Second.

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

Wheeler: Aye. Substitute is on the table.

Eudaly: We have overflow: [laughter] now we will begin our presentation. First two panels are presentations on the project, the companion ordinance for the alternative contracting

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method. The third panel will be from our trimet partners. Here to begin the presentations is pbot director chris warner. Welcome, director warner.

Chris Warner, Director Bureau of Transportation: Thank you, commissioner. Thank you for your leadership in this very exciting project. I'm chris warner, director of the Portland bureau of transportation. We're very excited to be here presenting the rose lane project report and recommendations for adoption. We have been in front of you a couple of times on this project, july and november of last year. This is one of our big climate moves under the bloomberg american cities climate challenge. We put this work on a fast track because of its tremendous potential to both climate and equity. It will be a big win for our city. While we have worked as fast as possible to get to this point, this is a deep, thoughtful planning technical analysis, community engagement and interagency collaboration. We're grateful to everyone who has played a part in getting to this milestone and pleased to have members of the community here to share in this moment. We have two items for your consideration today. First is a resolution to adopt the recommendations contained within the rose lane project report which you have in front of you. Staff from our planning department will speak to the recommendations and how they were developed. You will hear from partners at trimet about how our agencies are committed to working together to reach the full potential. The second is an ordinance we'll share with you for first reading. This ordinance is related to the implementation of the rose lane vision and would authorize an alternative progressive design-build contracting method for the development. This contracting method will allow us to be more nimble and quickly develop and build phase 2 projects. Staff from pbot's capital project team and procurement division are here to present that piece for you later today. In 2019, pbot adopted a new plan for the bureau. The plan centers on our work on transportation justice meaning all of our bureaus' efforts are in pursuit of advancing racial equity and reducing carbon emissions. We have adopted three overarching goals of safety, asset managed and moving people and goods. Doing more to prioritize transit on our streets will significantly improve the ability of our transportation system to move more people through our city more sustainably, reliably and safely. It's a smart move from an asset management perspective. In partnership with the commissioner's office and community stakeholders we have worked hard to center the project around equity and climate objectives. All sections of pbot have worked hard and will work on elements of the rose lane project. Many hands will make this happen. From our maintenance operation crews installing bus priority lanes and red pavement markings to planners, project managers, engineers, development review communications contracting and on and on. We are also looking at what we can do to improve transit service on streetcar system. Given the transportation improvements the rose lane project will bring we plan to increase service on the a-b streetcar loop to a 12 minute frequency. We wouldn't be proposing a vision this bold if we didn't have proof that transit priority works. We already have transit priority treatments on our streets today and they are getting results. Last year pbot in partnership with trimet and Multnomah county implemented three transit priority projects. A bus and bike only lane on southwest madison, bus and turn lane on northwest everett and bus only lane on the burnside bridge. These address three of our biggest bottlenecks in the city. They carry more than 75,000 passengers each day. It's only been a few months but we have seen big improvements in bus speed and reliability helping smooth the rider experience along the entire route. The southwest madison bus lane implemented in may of 2019 has reduced delay up to 76% during the evening rush hour. Northwest everett bus lane implemented in august of 2019 has reduced delays up to 34% in the evening rush hour and the burnside bridge is helping buses cross the bridge at least two minutes faster. We see these projects as what we call early roses, beginnings of a city-wide rollout of transit priority to help create a faster, more reliable transit system across Portland. We are grateful to have trimet with us to speak about how we're

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continuing our partnership to bring benefits to more Portlanders including more frequent bus service. Together we are making transit better. Just to illustrate the impact the transit priority improvements can have this is a before and after the burnside bridge. Buses were stuck in traffic with cars and inched along the bridge. Now as you see in the picture on the right buses are whizzing by. That bus alone can carry the same number of people as all those cars in two lanes. This is really the magic of transit priority with relatively minor low cost interventions we can free up the work forces out of transportation system, our buses and streetcars, free them up from traffic which delivers a one-two punch for climate/ inequity benefits. First it vastly improves the experience of those already on the bus and we know those are more likely to come from communities of color or low income households. Second it makes transit a more competitive, more attractive option which is essential if we want more Portlanders to ride the bus or train instead of driving alone. I'm going to turn it over to Jamey Duhamel, who has been our champion in terms of moving this forward. Thank you for your work. You can talk about better equity goals.

Jamey Duhamel, Policy Director Office of Commissioner Eudaly: Thank you. Good afternoon. Mayor, commissioners, I have the pleasure of working for commissioner Eudaly as her policy director and as her liaison to the transportation bureau. Together I gave a much lengthier presentation about the process we undertook to center racial equity in our project development. Today I'm going to just give a much more brief explanation of that for those who weren't at the other hearing. Last year many city employees completed over 60 hours of training from the office of equity and human rights. What it taught us was that we must integrate racial equity into every level of work that we do even and maybe especially when designing for a new transportation network. We cannot create a better transit system without first considering the needs of the communities suffering from the greatest disparities. We created an internal stakeholder group sometimes referred to as a transportation justice advisory group consisting of people and organizations that represent a wide variety of users but who also work with a deep equity lens. It included representatives from Urban League, Oregon Walks, Street Trust, Portland African-American Leadership Forum, Portland State University, Unite Oregon, Community Cycling Center, Safe Routes Partnership, Rosewood Initiative, Business for a Better Portland, Verde and the Sunrise Movement. This informal but esteemed panel help identify ways our traffic modeling and technical approach to transportation infrastructure may cause harm to people of color by not considering their specific experiences or needs. We asked this panel to review our approach, our assumptions and our goals. I took that information back to commissioner Eudaly and PBOT and we used our learnings to inform not only the draft proposal but went out to the broader public for feedback but also what we needed to make Rose Lane a success. Many panel members are here today, but we don't make assumptions about what they are here to say. We worked really hard to hopefully earn trust and support but their voices are their own. This group also helped us identify the better off measures you see on your screen that we used as our guiding north star to filter decisions in designing the Rose Lane network. The most significant is how we're addressing commute times. The average black commuter spends 20% more time daily commuting to work, an additional 50 minutes per week, over three hours a month or 40 hours in a year. The average black commuter spends an entire work week longer every year. Add the commute times are the single most important factor that help people out of poverty into economic opportunity. It became clear that a rapid and reliable public transportation system must be built to achieve better commute times. As April will explain, all these better off measures will continue to be the primary filter we use to determine what treatments are needed for the best outcomes in phase 2 as well. Thank you for listening and now I'll turn it over to Kristin Hall.

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Kristin Hull, Planning Manager Bureau of Transportation: Good afternoon. Kristin hull. I'm the planning manager for pbot. I'm going to give you a brief overview of the work we have done before I hand it over to our project manager for the interesting details. When we started this project commissioner eudaly asked us to center this work on climate change, fighting climate change and equity. That was just a little over a year ago. So getting to this point this fast is a huge accomplishment for our team. This project is really in line with the city of Portland goals. It's around improving transit service for people of color and low income households, making more efficient use of right of way and advancing accessible, affordable and frequent for everyone. It also serves our broader pbot transportation system goals. By 2035 our system plan sets a goal of one in four commute trips being made by transit. To get there we need to go from about 12% today virtually doubling our commute mode split. The rose lane project is one step in that direction. We think about why we prioritize transit. It's really about making work better for more people as traffic congestion has worsened in our city buses and people on the buses are stuck in traffic. The next bus makes the transit times longer for people who flood trains to meet their daily needs and makes buses late so less reliable. People's access to things they need every day easier, making it harder to get where you need to go. Efficient, equitable and sustainable. We want to make it not just something people do but something they do because it works for their lives. We're to the video moment. This isn't as true in theory. A couple of weeks ago our team observed the morning commute on southwest main between 1st around 2nd where we recently installed a bus only lane. It shows what we observed between 8:45 and 9:00 a.m. We counted the number of people on bikes and cars so it shows we counted people and trimet provided us with the actual data for the number of buses on this time and date. So this shows you how much faster and easier buses move through this area thanks to the bus and turn lane. It demonstrates the people moving power of buses compared to cars. It took only six buses to move the same number of people as 246 cars. Given our congestion challenges, our limited right of way, doing what we can to get more people on buses is a no-brainer for our growing city. That is video we have been sharing with community members of the way to illustrate that point and hopefully bring it home. Sorry about that.

Wheeler: The internet is so unreliable.

Hull: A really important part of this work and the work we do at pbot is informed by community input. Jamey talked about the outreach that her -- commissioner eudaly's office has done with key transportation justice stakeholders. Pbot conducted outreach in early 2020 and late 2019 to help inform the recommendations in your report. We did an online survey with 2,000 residents. Respondents. Which is a great rate of response for the things we do. We hosted three 2-hour open houses around town. We did presentations to a variety of community organizations. What did we learn from this? We learned significant support from respondents for the rose lane division and for taking the pilot approach. The support was strong among current transit riders. Travel time is a top determinant of respondents' decision whether to ride transit so projects that can improve travel time we think really will influence behavior. Respondents are generally confident that the rose lane project will help advance several better off measures and tracking this and reporting on progress over time is key. Community members do see the need for transit priority across the city not just in one or two places or specific neighborhoods. We heard desire to identify more opportunities for transit priority in east Portland which are incorporated in the report before you today. A summary of the public engagement is available on our website. Before I hand it to april to get into all of the maps and details I want to summarize the project recommendations and what we're asking today. We want to adopt a vision and network of primary rose lanes. We want to talk about what -- pilot projects for construction in 2020 and 2021. That is this summer and next summer, which is in our business really quick. We

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want to partner with trimet to improve service. Really importantly develop and implement a comprehensive activation strategy to encourage more people to ride transit more often. It's also about helping people connect to that new service and make changes in the way they get around to meet their daily needs. So with that i'm going to hand it over to april.

Eudaly: Thank you. Mayor wheeler, commissioners, april bertelsen, transit coordinator. It's my distinct honor and pleasure to introduce to you our --

Hardesty: You people are smooth today:

April Bertelsen, Bureau of Transportation: It's true, I feel it: [laughter] the rose lane vision. But I want to step back for a moment and invite you to engage in a process of imagining. Imagine that when you leave this building today at the end of your day that you don't need to consult the schedule, that you don't worry about if your bus is late or if you just missed it. Imagine that you just walk out, wait a few minutes and you catch the bus and that you don't worry if you're going to make your transfer if you need to take another bus to get to your final destination. Even if that might be a -- if you did miss the bus it may be a 30-minute wait or longer to wait for the next bus as it's cold and getting dark. Imagine that you don't worry about those things because the bus comes on time. It's more frequent, and it's reliable and it gets you to your transfers and to your final destination on time. Saves you time to be with your family, your friends and get things done however you may with your free time. This is what we envision with our rose lane network as a vision of lines that are faster and frequent and full for people of Portland and beyond.

Hardesty: Are you going to get to the issue of full in terms of the number of buses that are available?

Bertelsen: Yes.

Fritz: Good. Trains become fuller. I don't think you could get many more people on the 94 bus at rush hour.

Bertelsen: Not necessarily on that bus but we want to see more buses so full of people and buses they increase frequency. Yes. So a bit more about that vision. They are faster. Both buses and streetcars are not stuck in traffic and come when we expect them with transit priority treatments where they are most needed, that they are more frequent. With buses and streetcars coming every 12 to 15 minutes and more on peak times and that they are full, full of buses and full of people. We also want to highlight that this is not just about the places where we build those transit priority treatments, that it is about fine tuning the transit network and that those benefits extend up and down the line and across to have the city-wide benefit. Transit priority treatment in one part of town helps buses be more on time in other parts of town so that helps people get on the bus on time and make their transfers and that changes in inner Portland where buses are stuck in traffic often most benefit riders throughout the city. It's about tuning that transit network. So what is a rose lane? I thought it would be good to elaborate a bit more of what we mean. Rose lanes are corridors where transit priority treatments are used to get buses and streetcars out of traffic and through the project development process we will determine which treatments best address the need and context in specific locations so there is a bit of tailoring involved to the context. Not all rose lane corridors will include bus only lanes. We have a toolbox of treatments including lanes that other treatments that can be employed at a spot, an intersection or multimodal and improve multimodal interactions, staff treatments, operational and other treatments such as left turn pockets, signal priority or other signal improvements. We will be looking at our whole toolbox as we look more at these corridors. To learn more about those you can refer to our report and enhanced transit toolbox online.

Hardesty: Mayor, so are we going to have trimet next? Is that the plan?

Wheeler: Next panel.

Hardesty: Was there a request that we wait for all the presentations before we ask questions or am I just --

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Eudaly: I would prefer that. That's always my preference.

Bertelsen: And to clarify, they will be our third panel. We'll have our contracting staff on the ordinance prior to trimet. So a bit about picking -- how do we pick the improvements and where they are most needed. We focused on the highest transit delay for the most passengers and buses. We used that data in partnership with trimet to identify those with the most delay or more riders on board as well as along the lines, high ridership lines and where there's many buses per hour. That was our starting point in addition to looking at where we have other projects in the works and building off those to add more. We also -- that was our starting tonight but we also conducted began a technical assessment of the opportunities to apply transit priority as well as understanding some of the constraints and this was an additional screening process. Some of the things we looked at were where there may be a conflict with another project, jurisdiction, where we have the authority to make those changes. What may fit if we wanted to add a bus lane or other tools where there was on-street parking that could be reallocated. Also physical constraints such as continuous medians or curb extensions that would be a barrier to piloting a project in the near term. Then we consulted with community stakeholders. The late fall and winter we as you heard earlier engaged many to understand what was most important to them, what was missing, and what were their concerns as well as how they thought this would benefit. That information helped inform our final recommendation we are presenting here today. So that vision for faster, frequent and full. It's really out of love for the city and love for the people who live here and move through our city, and the love of transit that I present to you roughly a dozen transit lines on our primary transit network for rose lane vision. This map displays those roughly dozen streetcar and bus lines where we are primarily focused on making them faster, frequent and full. They are not the only lines that benefit from these transit priority treatments as there's many other lines that travel through the project locations, but these are the primary ones. And this map displays the full line. So that some of them do extend outside the city and we see the benefit where we may make improvements in one part extending along to the whole line. A bit more about that vision. Part of that what we mean by frequent and full, our vision is that transit arrives more frequently and moves more people with service increases over time going to 12 minute frequency or better all day and ten-minute frequency or better in the peak, and you'll hear more from trimet about how they are partnering with us to help realize that. Then this lists those lines that were displayed on the previous map. Meanwhile, I will focus on where we are looking to make transit faster so project locations and our implementation strategy for those projects. We have -- next map displays the implementation phasing recommended project be deployed in two phases, and the phase 1 would be construction mostly in 2020 with the half dozen in 2021, two dozen projects that we are looking to deploy in 2020. Many of these are ones that we have been able to develop or have been in development and ones that lend themselves to a quick build. The other, the phase 1 is highlighted in the dark blue then in green is highlighted phase 2, which are the locations where we are recommending additional project development this year in 2020 to further scope and define projects to be deployed starting in the following year. These are ones where many of them are longer corridors with additional complexities that we want to spend time with continuing project development engaging the community around what our final recommendation will be in these locations. Specific treatments in these locations will be determined through that process. We do not yet have recommendations on the phase 2 versus phase 1. We do have project scope recommendations and defined in the report.

Hardesty: Thank you. I'm sorry, I gotta ask this before I forget. How does this help us reach our equity goals? If I look at this map, it doesn't actually go with your first principle, which is racial equity in this process.

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Bertelsen: I will have a bit more about this on the potential benefits later in the presentation, but we do think especially in the phase 2 that many of these extend further across the city and that that will help provide benefit to -- with an equity lens for people of color and low income households and we will continue to monitor and see and help that guide our final recommendations. The better off measures and the performance metrics we identified help to guide us along the way as we define. Added to that, even if a project is in the central city, that can create a benefit that has a ripple effect for someone who doesn't even come downtown but travels elsewhere through the city. We'll continue to track to make sure that we can deliver some improvements.

Hardesty: Thank you.

Bertelsen: You're welcome. So a pilot, we talked about pilot approach and it's a four-step approach that we recommend that would be to deploy pilots, monitor then modify if needed and before we refine to make a recommendation on the permanent project. So that tracking along the way and having performance metrics to guide our monitoring and modifications is critical as well. This also aligns with recommended amendment that you voted on that we would do less modeling up front but more of the monitoring of data during the pilot to get that feedback loop and refine as needed. During both the early planning phase as well as project development phase then during the pilot deployment phase we'll be evaluating both potential benefits and impacts or trade-offs. We have identified a number of performance metrics that tie to our goals in the better off measures to help us gauge are we on the right track. We're looking at can we reduce bus passenger delay, have travel time savings and improve liability, equitable access such as access to jobs, daily services. Looking how does it compare to driving an automobile and are we bringing those closer and more comparable. Increasing ridership and reducing greenhouse gases and improve air quality. Recognizing that some of the transit priority improvements that could be recommended may come with some tradeoffs that we want to be cognizant of those and have those conversations and take into consideration our recommendations. Particularly for those that are impacting the pedestrian environment and safety, bike facilities, bike safety, and infrastructure, we will also be evaluating impacts to traffic particularly where it may result in traffic diversion to nearby streets, to the neighborhoods or along streets that are important for walking and biking as well. And also looking at impacts of parking removal. When answering our survey respondents parking removal had the lowest score so of these four concerns parking was a lower -- the least of the concerns listed. Now I wanted to touch upon a bit of the funding for the phase 1 versus phase 2. I think there have been some questions in regards to this. For phase 1, which is further detailed in chapter 9 of the report, we have 29 projects identified there, and we are looking to deploy those mostly in 2020 and a small handful in 2021. The funding for those, many are coming through committed sources in partnership with our regional partners including pbob general transportation revenue, our transit priority spot improvement program funds, federal funds with the central city in motion project some of which are also rose lane projects. System development charges and regional enhanced transit funding and house bill 2017 funding for transit in partnership with trimet. The estimated value of the improvements is approximately \$7 million for all of the phase 1 projects and pbob has it covered. For phase 2, we are still defining these projects, so we are still developing what the cost estimate will be but we have funding allocated to provide project development in 2020, targeting construction in 2021, and so we have about \$1.4 million proposed in our budget to cover that. We estimate that the cost to construct is going to be in the six to \$8 million range. Some potential funding sources for that construction phase, which is unfunded at this time, include pbob general transportation revenue, potentially trimet house bill 2017 funding, other operational savings from rose lanes and metro regional investment measure. So it's not just about building things. This is about also people riding transit and

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getting more people on the bus. So we will be including in our effort a series of activation strategies around encouraging and behavior change to bring more people on to the bus and increase our ridership. Some of the guiding principles for this activation are to tailor activation to the audience needs and priorities and barriers, so understanding why people don't take transit or what their concerns are today and how can we reach them around those and address them or help encourage overcoming those barriers. As well as advancing equity and climate goals, leveraging partnership opportunities, then to measure, track and evaluate. Some of the potential activation strategies that we're looking at are to demonstration events, free and reduced fare days, encouragement campaigns, rider incentives and employer-employee partnerships. This we wanted to highlight this is from boston, but it is a bus stop that has been decorated with flowers in the spirit of celebrating transit riders.

Fritz: It doesn't have anywhere to sit down.

Bertelsen: There may be a bench behind that sign covered with flowers. Noted.

Hardesty: At least they have a bus shelter.

Fritz: It's very pretty.

Bertelsen: Another thing I want to highlight this is using a temporary platform and we are looking to deploy similar in our upcoming projects of these modular units. So what benefits could the rose lane project help towards our better off measures? We began in evaluating what the potential out comes could be for our rose lane project and through that we have estimated travel time savings for many of the transit lines in the system going through our city be first and foremost the line 20 stark burnside line, line 6 along mlk, line 12 starting sandy and barbur. But it's not just about saving time for transit, it's about saving time for people. Getting them to more places. So we also did some analysis of the increased access to jobs for people focused on where they may be but also at a system level.

Wheeler: So I understand the chart, savings from where to where? One end of the line to the other end?

Bertelsen: Yes. This would be at the whole line level. If you followed the whole route. The cumulative benefit of the transit priority treatments that may be along that route. So where there's more time savings along a line versus a line that maybe goes through one transit priority location, one spot or one small corridor, they have a smaller benefit, the thing to highlight is there are many lines, not just the 12 or roughly dozen that we have identified as the primary network. Other transit lines can benefit when they pass through these lines as well as the more reliability as you transfer from line to line. Many people do use more than one line to get to their destinations. So this map here displays how many more places one can potentially reach with a 45-minute transe I it trip combining walking and transit starting from the Portland community college southeast campus. The gray displays where they could get today and the red expanded area is the additional places they could reach with rose lane project. This could result in up to a 56% more jobs accessible within that 45 minutes or if you're the campus, 22 % more residents can reach you in that 45 minutes. That's about 5:00 p.m. Is our estimate. We then repeated this for locations across the city. So doing a system benefit, not just from one place but from all, anywhere to anywhere. As commissioner eudaly had highlighted we think we can improve access to jobs up to 25,000 more jobs in a 45-minute transit trip, 24% increase in job access city-wide. We also wanted to understand this by breaking it down by demographics. Ensure that people of color as well as households in poverty could also benefit from these proposed projects. This is an initial assessment. We would continue to do such assessments through the different phases of the project to help guide where we -- it's most important that we pursue transit priority improvements to help 3450e9 our better off measures. This is the beginning of us estimating. Another thing to highlight about this slide is that we included an analysis of 82nd avenue. While we understand that many of the state highways, places like 82nd,

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powell, barbur, burnside bridge, other facilities are important places transit system as well and that many people are traveling on those corridors. While they are not our roads and are not part of our phase 1 and 2 projects they are part of our larger vision for corridors and looking to continue to work with odot, with the county, with trimet and metro and others to improve those locations as well recognizing that they have an important benefit for people taking transit. Particularly this highlight for 82nd that the benefit to people of color of adding 82nd is greater for people of color than city-wide residents. It has a seven to 9% improvement by just adding 82nd avenue. We know it's important that we continue to work on these additional locations while in parallel we also work on our projects on our city streets. These next two maps help describe increased access to jobs that could be reached in a 45-minute -- by people living in the hexagon areas so repeating that exercise for pcc-southeast campus across the city. What the rose lane project, these areas in darker red are the areas that could have the most increased access to jobs with potential rose lane project. We then -- the bigger the hexagon the more people live there so that added benefit in those locations. This next slide shows that potential with adding in 82nd avenue. I will toggle just a bit so you can see how many more areas light up with the deeper red that are more places that people can reach in 45 minutes with the addition of 82nd avenue. It's the importance of the work we do and do together with our regional partners. With that -- to make things better for Portland and residents beyond. With that I can take questions or invite up our next panel of presenters.

Wheeler: When will it be appropriate to ask questions about the budget?

Warner: Now.

Wheeler: Okay, good. So I have some notes here having spoken to cbo. One of the questions they ask is about the long term cost implications for the project. It's not entirely clear at this point and you did cover that in some of your slides and I appreciate it. So how does the \$10 million in the contract on the ordinance relate to the amount of funding that's currently budgeted which is actually less than 10 million? Where do you make up the difference?

Hull: So the 10 million is a cap to allow us to develop projects. Phase 1 projects are developed and fully funded. Phase 2 projects we identified funding in next year's budget to do project development and design. That will figure out how much they cost and how we pay for them. It won't be over 10 million but we wanted to leave ourselves room to develop the projects as needed. Our best guess is we're talking more six to 8 million in projects to build in fiscal year 21-22.

Wheeler: There are a number of projects included in the overall package. It's my assumption each will be budgeted individually.

Hull: Yes.

Wheeler: They come back to council as part of the overall budget process?

Hull: Yes. Our procurement team will talk about how the progressive design build works.

Wheeler: That may help me answer this question. The bureau has about 2.75 million in its current budget. So anything beyond that would come back to council for additional funding authorization?

Warner: It would have to be -- into the budget document that we put together for the next fiscal year.

Wheeler: Then you may get to this later but how do you determine whether to move forward after the pilot is completed? What's the metric you're looking at or set of metrics?

Bertelsen: Our main goal would be it's improving transit and that we are seeing transit travel time savings. We have to balance that, can we mitigate if there are some additional impacts, and so if we -- as long as we are making improvements towards the metrics that we laid out earlier that we're making transit faster that we are indeed better serving Portlanders who take transit, the refinements we may want to do, whether extending transit

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priority treatment or reshaping it or having it reduced or adding mitigation measures such as crossing or traffic calming or diverters, these are the kinds of things that we may also include in the project or add on. I think we talked about three-year pilot time, that should be time for us to refine and come up with a permanent recommendation.

Wheeler: You didn't have to listen to my long, boring speech yesterday but it's going to be a new theme for me, and it's certainly something that I'm requiring in my bureaus which is I need to know the metrics in advance. I need to know what constitutes success and how we're going to measure it, and have clear understanding of that before we go into the pilot project. It sounds like you've given this some thought, but I would also encourage in the weeks ahead for you to further refine what specific metrics you're looking at, how you would define success and how you're going to measure it.

Duhamel: Page 15 of the report lists our pilot approach and monitoring efforts so we propose three central monitoring based on the experiences of our peer cities doing similar projects by three months they are seeing what the transit is working, by six months ridership changes and by 12 months things have stabilized. Bus time, is it faster and more reliable. Has it changed ridership and mode split. At the 12 month point looking at the travel behavior against rider satisfaction and overall performance on the transportation system, look at how it affects the overall flow of cars, trucks and buses.

Wheeler: I'm expecting results to all be positive. The question for me is before we step up and increase funding beyond the pilot I would like to know how much improvement you would like to see in order to justify the additional expenditures.

Hardesty: Thank you, mayor. That was helpful segue into some of the questions. I have shared this with you I think yesterday or the day before, can't remember when we talked. So one of my concerns is the measurements. As I told you when we met in my office I'm more concerned with who is losing stops, how that is going to impact seniors, people, single moms who are on the bus going to the grocery store in my food desert neighborhood. If the only way to speed it up is to eliminate some stops or to do some additional improvements, right, so I would like to know what the tradeoffs are. I'm more concerned about what happens in neighborhoods like mine with a very limited public transit infrastructure with almost no bus shelters, that shelter people from the rain, I'm very concerned that once again we're investing resources in the central city and we're promised in phase 2 will be looked at again but we're not even starting on an equal playing field because we're starting so far behind from where the core central city's transit structure is. I'm very concerned that we say the focus is racial equity but nothing in what I have seen and talked about so far leads me to believe that we're prioritizing those who are transit dependent, and those who have no other choice. It sounds like the focus has been is on people who have many options and you're trying to make the buses more attractive. I also haven't heard anything about whether we're using clean buses in places with high levels of air pollutants and how trimet is investing those resources in the communities that need it most. So just putting my stake in the ground, letting you know those are some of my big questions. Probably won't get them all answered today, but I appreciate that there are some folks looking at vehicles. I'm all about the people and what people are going to be penalized because we're helping people get to the suburbs faster.

Hull: I want to just touch on a couple of your questions and recognize those are the kinds of things we'll be considering as we do project development. Consolidations is one tool, certainly not the primarily or only tool with this project. The other points we would look forward to talking with you about those as we get into the project management.

Hardesty: I'm concerned if we invest in the central city and the economy takes a downturn, then once again east Portland will be told, sorry, we don't have money to do phase 2. Right? Because we have such a limited infrastructure starting with I'm very

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concerned. I guess I would not call this a racial justice initiative if we're not prioritizing the people who are most transit dependent.

Eudaly: I would like to jump in here. Need to be a little stronger. First of all, in order to identify these first projects in phase 1, we looked closely throughout the entire city at where the transit bottlenecks are and where the highest ridership was to determine the priority lines. We have said this over and over again. If you're waiting for a late bus in east Portland, it's probably because it got stuck downtown. So you cannot look at that map and say because there's a concentration in the central city that we are not serving people in east Portland. That is just a fundamental misunderstanding of the approach that we are taking. The congestion is happening in the central city. We are also looking very carefully at the bottlenecks and what's causing them so that we can lay down the best intervention. I want to say right now when you look at those red lines I think it's confusing people, we are not painting lanes red from the river out to 162nd avenue. We're doing priority signals, q-jumps and the bus only lanes where they are needed so we are absolutely serving people in east Portland in phase 1. What we cannot do because it is beyond, outside our power since we don't own our transit agency, is to add new lines, which is what I think you're getting to. East Portland needs more lines. Expanded service. Not just increased service but the goal of rose lanes is to use our existing system in a smarter, more efficient way so that as I mentioned, those people roughly 50% of Portlanders that live within walking distance of high frequency transit have faster, more reliable transit. It is literally phase 1. And it is ongoing conversation with trimet. I know I didn't answer all of your questions, commissioner, because there was a lot packed in there.

Hardesty: Thank you. I appreciate that. I think the point is today, if I stood on the bus stop in central city and I stood on the bus stop in east Portland, the bus stops are as different as night and day. So to somehow say that this is equitable service because we both get to ride the bus, right, i'm standing in the rain. The people in central city are not standing in the rain. I have the -- people in central city don't have those, right? We're not starting from a place of equality. We're starting from an unequal place and then we're somehow saying but everybody will benefit.

Eudaly: Rose lanes are pbot project. Pbot owns the lanes. Trimet owns the shelters. Shelters are a legitimate conversation that we need to have, but for the purposes of rose lane, which is getting buses and streetcar trains unstuck from traffic they were not our primary concern. I would argue that with faster and more reliable more frequent buses the rain becomes less of a problem because you're not standing in it as long. [audio not understandable] well, I navigate the city with a kid in a wheelchair. It's particularly tough to stand in the rain with him waiting for buses that don't always provide reliable service for people with disabilities. So i'm well aware of the limitations of the system, and some of the needs that are not being met. But we can't fix all of the inequities that exist in our transportation system with one pilot project through pbot. We don't own all of the pieces. As far as the clean bus question, that's another thing that we don't have control over. Trimet is initiating a project and with buses that can't serve a lot of the existing routes because the routes are too long or there's too many hills. So again, another really important conversation to have, not something that we can address in the first phase.

Hardesty: I hope that as we negotiate that we are investing money to speed up trimet's transportation system. Now, if we're going to make a decision to do that, we should be expecting that trimet is also going to make some investments in places where they have lacked investing. I don't want to spend \$8 million of city money and only have promises from trimet that they are going to try to do better in phase 2. To me that is not an acceptable outcome of this pilot. Thank you.

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Bertelsen: Next we move on to our other panel on the alternative contracting method and our ordinance recommendation. Caitlin, pbot capital project manager and I believe we have kathleen.

Wheeler: Thanks for being here.

Bertelsen: Thank you.

Wheeler: As a rule listen to what Karla says, not me.

Caitlin Reff, Bureau of Transportation: I'm caitlin, project manager at the bureau of transportation. I'm here to talk about the second item of business on this agenda, the ordinance before you, and it is to approve the findings and authorize use of an alternative contracting method for phase 2 of the rose lane project. Really that means instead of our standard low bid or design bid build approach we are recommending a progressive design-build method for phase 2 of the rose lane project. We have been working in partnership with procurement and contracting specialists both who are with me today and they will share more detail on this, but really to define what the unique phase 2 project development and implementation needs are and identify a contracting method that can holistically support the city's goals that you have just heard presented and ensure we're working to meet those. Why alternative contracting. Rose lane phase 2 projects have a significant role to play in meeting Portland's climate and equity goals as well as advancing local and regional goals to make transit more convenient, affordable and frequent for everyone. Phase 2 includes projects that require significant additional project development and design but do have a fast track delivering construction plan for as soon as next year. So the phase 2 projects that have been identified in concept and in the rose lane report are considered on many of the longer corridors where more significant scoping is required, additional engagement with community stakeholders and with design development and construction costing progressing concurrently. These tasks really do require specialized skills and expertise and the schedule requires a collaborative design-build team approach. Commissioner eudaly and her staff have encouraged pbot to think creatively about rose lane, the project and implementation so we can advance this important work centered on addressing disparities in our transportation system and improving the lives of Portlanders through the better off measures identified. So with that in mind and in partnership with procurement we're recommending a progressive design-build contracting method. I will hand it over to kathleen to share more about what that means.

Kathleen Brenes-Morua, Procurement Manager Office of Management and Finance: Good afternoon. I'm Kathleen, procurement manager over design and construction services here to recommend that you authorize the exemption from the competitive low bid procurement requirement and allow us to pursue the alternative contracting method of progressive design-build. This will allow us to issue a request for proposal solicitation to enter into the contract, select a design builder based on their qualifications and commitment to the project goals. In order to exempt us or exempt this project from the low bid you as the local contract review board have the authority when findings are made that support the alternative approach. The findings were included in the ordinance and they are before you. They address the technical complexity of the project, the specialized expertise that's required, market conditions, public benefits and other factors, compelling factors for using this method. These findings were made available for public comment and no comments were received. The progressive design build method again is a qualifications driven contracting process that resolves in a single contract with a single entity for the project design and construction. It fosters collaborative environment where the city has significant control and the design-build team focuses on project team goals not their individual success. The progressive design-build method will allow to us have the construction contractor involved in the design process and in value engineering throughout to ensure cost containment. The initial contract covers the preliminary design development

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and establishment of a guaranteed maximum price for the construction of the project to address one of the questions that you had earlier, once that guaranteed maximum price is negotiated and finalized we will come back before you to seek authorization to then accept the guaranteed maximum price and be able to enter into a construction services contract to then construct the project.

Wheeler: Thank you.

Brenes-Morua: An additional benefit of alternative contracting is that it does enable us to provide for greater opportunity to subcontractor certified with the certification office for business inclusion and diversity and to diversify the work force. Given the collaborative approach during the project development we are going to be able able to negotiate that with the design builder and participate in specific outreach approaches once the contract is awarded. I ask Carrie to join us to tell us her approaches with the design builder to achieve greater utilization.

Carrie Waters, Bureau of Transportation: Good afternoon, mayor, commissioners. I'm Carrie Waters. I serve as contract equity coordinator with Pbot and I have to underscore the benefits of the flexibility of this model for a firm certified through Cobid. It offers greater opportunity to consider their qualifications and corporate responsibility beyond cost alone. As I hope you're aware the low bid model is cost prohibitive for those firms who have historically experienced exclusion from the economic benefit of our contracting opportunities, and it promotes genuine partnerships between the prime selected and the subcontractors to slice and dice scopes and creative ways to increase participation from Cobid certified firms. Pdot's strategic imperative of transportation justice reaches beyond the types of projects that we do and how we accomplish excellence in our project delivery by leveraging these opportunities for community wealth building and retention. Over the past year we have built a contract equity program framework and are now initiating roll-out of engagement to our prime contractors now a larger scale to better understand their engagement approaches and offer strategic expertise so we can better achieve and exceed our current goals. I'm excited to avail myself to provide support in that realm for this project through information sharing and facilitation of genuine relationship building between the prime elected and our diverse business community.

Wheeler: Thank you.

Bertelsen: Thank you. That concludes this panel and next we have trimet to invite up and if you had any questions.

Wheeler: No. Great presentation. I appreciate you answering my question. Thank you. Very good.

Bertelsen: Next I'll invite up our trimet partners, Bernie Bottomly, Lori Bonham and Jamey Snook.

Wheeler: Welcome. Thanks for being here.

Bernie Bottomly, TriMet: Bernie Bottomly representing trimet. Good to be here. We are here to celebrate and to thank you for your leadership and effort on behalf of the transit riders of the community. I want to introduce Lori Bowman, on our board, our general manager Doug Kelsey sends his regrets. He's in rural British Columbia visiting with his granddaughter, who is experiencing some significant health issues at the moment, so he sends his apologies. With that I'll turn it over to our esteemed board member.

Laurie Bowman, Board member TriMet District 4: Thank you. Good afternoon. I'm Lori Baughman, a member of the trimet board of directors of district 4 including southeast Portland. I first thank commissioner Eudaly for your leadership in prioritizing transit. I also thank Mayor Wheeler and the commission and city council for supporting steps that will mean real improvements in transit. I last came before you in 2018 when I testified in support. I told you about my twin daughters. They are young daughters who experience developmental disabilities. They both ride trimet just about every day to go to work, see

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friends and get out in the community. For those with disabilities transit means independence and self-reliance. Faster, more reliable transit bus travel in particular will have a real impact on my daughters' ability to reach their full potential as engaged and self-supporting citizens. So if we give priority to transit on city streets we will impact the livelihoods of so many people like my daughters. If buses are faster and more reliable people will be able to get to work on time and get home more quickly. People who rely on transit on a daily basis will see real value from the rose lane project. Others will see how fast and easy it is to use transit to get around and start taking the bus. This is a great way to reduce single occupancy vehicle use, reduce greenhouse gas emissions and move to a more sustainable city. At trimet and on behalf of the board of directors we appreciate the partnership that we have with commissioner eudaly and with the city, and we look forward to continuing and strengthening the partnership and to collaborating to improve transit and improve the lives of our customers. Thank you again.

Wheeler: Thank you.

Bottomly: Mr. Mayor, commissioner hardesty, jamey snook, who is our manager of capital projects and I are going to tag team our presentation. So I just want to start by saying that as somebody has been in Portland my whole life and been in and around the transportation world for most of that time, I think this is a seminal moment for the city and hearkens back to the partnership between the city and trimet that we have had since the early '70s. I think back to one of the innovations that really the rest of the country look to in that year of building of the transit mall, one of the first in the country, building of the light-rail system, one of the first light-rail systems in the country, the first modern streetcar in north america. And now the division transit project and rose lane initiative. Those are the kinds of things that other cities look to us as leaders on and as innovators, as pioneers. I'm really proud of the city and of your work on this, commissioner eudaly in particular, for your leadership. I'm very proud to be here just from a personal basis as well as trimet representative. Before I get into detail I wanted to acknowledge april bertelsen and kristin leonard, who have done a tremendous amount of work with us. Jamey duhamel from commissioner eudaly's office, gabe graff and tim ender who have been working on the enhanced transit projects which were the harbingers of this rose lane initiative. All have been tremendous people to work with and have represented the city very well. Commissioner eudaly mentioned the climate crisis. I think we all know that we face that. The mayor and our general manager recently announced a number of initiatives that we're jointly taking to begin to address that from the standpoint of how we operate. Changing the way that the transportation system works is fundamental to our ability to respond to that crisis. The largest sector of the economy that we have not addressed in the carbon emissions world is the transportation sector, and the way that we can address that is by improving transit and moving people from single occupant vehicles into buses and converting those buses to nondiesel platforms, both of which we are endeavoring to do. I want to just acknowledge that like the city our strategy, our goal for this is to make the system fast, frequent and full. Commissioner Fritz's question about full we'll get to in a minute. I think we can respond to that and a number of other questions raised earlier. We want the system to be full but not overfull. We recognize that the commitment that the city is making in this effort is a significant one and trimet needs to respond in kind and we need to increase the commitment that we're making to the lines that are served by these improvements and we're prepared to do that. I want to just -- next slide if you could.

Fritz: Karla isn't there. You have to wait for a minute.

Bottomly: Okay.

Fritz: We can't function without Karla.

Bottomly: One slide back from that. One of the questions or the issues that was raised earlier was about even though the geographic location of these improvements is in the

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central city, do they benefit people in other parts of the city. I think the answer to that is absolutely yes. On this slide I don't know if you can see it clearly but there are three little black rectangles in the central city. Those represent the three enhanced transit projects central city in motion projects that have been implemented so far. The green lines represent the bus lines that use those facilities. You can see that they serve huge areas of the region and particularly those east Portland areas that we're trying to improve service in. The time savings that is realized by that improvement in downtown Portland is incredibly important to those customers that are farthest out on the line because a small disruption in the schedule downtown cascades as the line gets longer. You get farther and farther away from the scheduled time that we publish and that the customer is expecting to experience. So those changes downtown not only speed up the system but they make the system much more reliable because that's where the majority of the uncertainty in the schedule comes because there are intersections where sometimes you wait for ten seconds, sometimes you wait for ten minutes. We don't know from day to day what the delays going to be with the rose lane initiatives the amount of time that we spend in those intersections is much more predictable and that is a key improvement for those folks that are farthest out on the line, as well as the travel time savings. Also want to mention that the routes that are served by the rose lane changes are the routes that we have targeted for improvement because they serve areas of the region that have higher concentrations of low income and minority residents in them so these are the lines that we want to improve and add service to. The presentation earlier about the travel time to get to work is important. We know from our research that the travel time for those folks who have been essentially gentrified out of central city and moved to mid county and east Portland because of the affordable housing dynamic are at a disadvantage when the travel time is longer. They can't access as many jobs. That reduces their opportunities, reduces their earning power. These improvements significantly help those folks in accessing more employment areas. So with that I am going to just mention that we would love to see this process move forward. 82nd avenue and other opportunities which the city of Portland doesn't necessarily own so we're also looking at opportunities to work with other jurisdictions who own those rights of way to make similar improvements that serve the residents of Portland. So with that I want to turn it over to Jamey to walk through some of the service expansions that we're anticipating.

Jamie Snook: Since I'm just going to speak I want to offer my thanks as well. It's been a real pleasure working with pbot on the central city in motion and enhanced transit and rose lanes. It's been a wonderful partnership and I'm very excited and happy to be here. Now I'm going to jump into the presentation. Background, just talk about the statewide transportation improvements establishment through h.b.2017. We worked through the transit advisory committee to develop a plan. This map shows where it is we were planning on increasing service to begin with. We're looking at new lines and route extensions, service upgrades, looking at the reallocation of the line to where that reallocation of hours would go when division transit project comes into fruition. We're looking at this map we can see there's a lot of service upgrades in east Portland and we're really excited to make those things happen. The plan shows as I mentioned that the line 2 reallocation of hours going into east county connecting to jobs around the Columbia corridor and within east county. I also want to mention on the map that the light gray areas are equity focus areas and emphasizing that's where we're putting most of these service improvements. I also want to emphasize that we have been doing a lot of work since hb 2017 passed and working with the transit advisory committee. The yellow line is showing where we have already started the improvements and those are completed. The dark blue are looking at improvements that are going to be happening in March of 2020, so this spring will be additionally putting in more service on our transit network. The blue is the proposed

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improvements for fiscal year '21. We're real excited to be moving all of these service improvements forward.

Wheeler: Commissioner Hardesty has a question.

Hardesty: Thank you, mayor. Can you tell me what you mean when you say service improvements? What does that look like for the user?

Bottomly: So if you look along the right hand side of that slide, you'll see the list of improvements. So five new bus lines, three lines with improved weekend services, seven route extensions. That means the route is going farther than it used to go.

Hardesty: Which of these are in 2020 and which are proposed? I'm assuming if it's in 2020 it's already been approved, and if it's in 2021 it has not, there's no financial commitment to it.

Bottomly: No. Commissioner Hardesty, after the passage of house bill 2017, we initiated a significant community outreach effort where we brought in a 29-member committee of citizens to help us do a couple of things. One, to define the equity areas they wanted us to focus on. That's the gray areas that Jamey mentioned. The other was to determine how they wanted to allocate these new resources. What the balance between capital bus stops and shelters, those kind of things, and service improvements they wanted to see. They developed a five-year plan as part of that process. Assuming that nothing dramatic happens with house bill 2017 resources and there are some threats to that resource that are happening right now that I will talk about in a second. But assuming that moves forward with the projected revenues, these are in our plan and we have anticipated revenues to come in to fund them.

Hardesty: Thank you.

Bottomly: So shifting now just a little bit to the amenities side of the equation. So we had these public open houses and workshops and they identified a number of capital improvements they would like to see on the transit system. One of them was better customer information instead of just in downtown having reader boards telling uh yo the bus is coming, those are available in other areas of the city. So we have a goal of spending the resources they allocated out of house bill 2017 on digital information displays at all transit centers, not just those in downtown and all large transfer points in the system. We have 9,000 stops in the system. We are not talking about electronic reader boards at all of those, but 50 or so major stops along the system. If you look at Jamie's map where you see two lines intersect, north-south, east-west, those are those locations. That is our goal. We are experimenting with new technology, electronic paper, which I don't know anything about, but it is supposed to be the new thing. There was a question earlier about bus shelters. One of the things we heard in the workshops is the desire for shelters, particularly in east Portland. We are following up on that. We have 35 additional shelters we essentially have the funding for and we are trying to find the locations for them. One of the challenges we have in putting shelters out, particularly in east county, for the shelter to fit on the sidewalk, the sidewalk has to be pretty wide. In east Portland, as we know, there aren't even sidewalks and in most cases the sidewalks are narrow. Unless we can find a right-of-way behind the sidewalk to build a pad the shelter can sit on, we can't put the shelter on the sidewalk because we violate the ADA requirements of clearance. So the challenge is to identify those places where there is a need for shelter and we have right-of-way or working in the partnership with PBOT to identify the places where we would like to have a shelter, but we need to acquire the right-of-way or get the landowner to agree to let us use a small area of their property. I will say it is a difficult proposition to get property owners to agree to allow us to put a shelter on their property. Some of them are very generous and willing to do that, but most, it's a tough conversation with them. So we are working on it, but I just want you to be aware of the challenges. The next map, slide shows you where our current new bus shelters that we've identified locations for are. And so

those will be going in in the next year and a half, the next two construction summers. There are more to come, but, again, those are not -- we haven't identified the properties that we -- where we can locate all the rest of the shelters. Again, these are targeted for the areas that house bill 2017 committee identifies areas they would like us to focus on. A lot in east Portland.

Eudaly: Are these in addition to the 35?

Bottomly: The 35 include these.

Hardesty: 35 in the city proper and these are the one systemwide

Bottomly: 35 is systemwide, most of them are in the city of Portland. Yeah. And then I think there was also a question about, you know, how do we deploy buses? How do we deploy services? Are we making sure those are being deployed in a way that is fair and equitable. So one of the things we are required to do under federal law is conduct what is called title vi in the federal law. We look in revenue hours, so we look to see are we providing the -- I don't want to get too technical, the standard for what constitutes a low-income and minority area is slightly different than house bill 2017 because it is a federal standard instead of our standard our advisory committee set up. The measure is are those low-income and minority areas getting equal or better service than the population as a whole? We look at the number of hours of service we provide, whether there is crowding on the system. So whether crowding in low-income and minority areas is greater than the other places in the system, on-time performance, whether there is service at all. We look at the age of the vehicles to make sure the vehicle age for low-income minority services are younger than or equal to the age of the buses on the rest of the fleet. We look at seating, lighting, elevators, digital displays, shelters, signs and waste baskets. We are in compliance on all of those. All of those factors, we provide service equal to or better than the average in areas that have higher proportions of minority and low-income residents than the rest of the region.

Wheeler: Commissioner hardesty.

Hardesty: Thank you. Can you say that because it is based on the service we have rather than the service we lack?

Bottomly: Yes. So it is not based on what we wish we could provide to the region. It is based on the services that are currently out there. So, for example, our fleet, the average age of our bus fleet is eight years about. We wish the average age of our bus fleet was seven years, but it is eight years because that is the money we have. We measure whether low-income and minority routes have buses older than eight years, not older than seven years, which is what we would love to have. It is based on what is there today, not on what we wish is there.

Hardesty: Isn't it an unequal measurement?

Bottomly: What do you mean?

Hardesty: If you are measuring does northwest get the same level of service as east Portland while northwest has twice as many bus lines, certainly many more transportation options and then you have a community with limited transportation options, but you are measuring them the same.

Bottomly: Well, we are measuring the average of all residents in the region and their access to transit. There is an inequity in downtown Portland, let's say, the number of hours of service that are near you is thousands of hours and if you live in outer east Portland, the hours of service are in the tens or, you know, but there is no way to equilibrate those. We take all the hours of service in the region and average them.

Hardesty: You won't really be identifying communities of color who need additional resources. If you are taking a regional approach those numbers are very skewed.

Bottomly: Well, I understand what you are saying. It doesn't prevent us from trying to do more and that is what we are doing. We are targeting all of the improvements that we are

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making in the system to the areas in the map I mentioned earlier. So the federal requirement is a minimum, not a maximum. We are trying for a lot better than the federal minimum. Okay. With that, I'm going to turn it back to Jamie and she will talk about the rose lane routes themselves.

Wheeler: Not to be rude, can I get a time check? We have quite a few people signed up. I want to hear from the public.

Moore-Love: We are three minutes.

Wheeler: Perfect. Thank you.

Fritz: I have a couple of questions.

Eudaly: I do, too.

Snook: So we have been working with Pbot staff and Commissioner Eudaly's office to look how we can support rose lanes and increase service. What you see on this map is we are looking to prioritize the phase one improvements and increasing service along those phase one lines moving them to 12-minute weekday frequencies and 10-minute peak headway frequencies. So really premium service on those lines that are showing where there's prioritizing transit and we are willing to move ahead with prioritizing transit as well. Some of these were already slated for improvements. For example, the six is going to 12-minute frequencies in spring of 2020, no 2021. Sorry. Is that right? Sorry. I had these memorized and I lost it. Line six is looking to go to 12-minute frequencies in September 2020. And the line 12, 12-minute frequencies in March of 2021. So we are already going in that direction. So for phase one, we are looking at additional frequencies on the line 20 and the line 14. So we are proposing that we will be able to introduce these frequencies on nose lines in fiscal year 2021-2022. We are working with Pbot and the commissioner's office to prioritize transit on those lines as well. If you go to the next map, this is showing the phase two improvements, also bringing those lines up to the premium transit service headways. We are proposing phase one and phase two implementation by fiscal year 2023-2024. We are working to push as hard as we can to move those frequencies as fast as we can to match the city's improvements on the street to prioritize transit. So I breezed through quickly, I think that is the meat and the heart of everything we would like to say and I said it in 30 seconds, but I think that what we are really trying to say is we are really appreciative of the hard work you all are doing to prioritize transit. We want to match our service investments to the work that you're doing and we're proposing that to meet those headways as fast as we can.

Bottomly: I asked staff to hand out a letter from our general manager, appended to that is a table that shows you line by line when we would expect to get to that high level of service. Basically, our premium level of 12-minute base all day service plus 10 minutes in the peak hour. For all of these lines, for the section of the line -- the rose lane sections themselves, there will be a bus every seven minutes on those sections because some of them have multiple bus lines. There is frequent use of the rose lanes and bus service as well. If I may quickly go back to questions that were raised earlier.

Wheeler: Yes. And Commissioner Fritz has a question.

Bottomly: We don't anticipate stop lane considerations as part of rose lane. The changes we are proposing is increasing frequency and speeding bus travel with the existing stop structure. There are potential opportunities with the rose lane initiative to pilot or commuter or what we call skip stop buses. We wouldn't eliminate the bus that stops at every stop, but we might implement buses to get people longer distances, into downtown, so they don't stop at every stop. The rose lane allows us to do that because the express isn't getting caught in the same traffic as the local is. The other issue came up about electric buses and how we deploy those to benefit minority communities. There is a battery-electric bus plan and it calls for deploying the battery-electric buses based on the equity considerations of the line that serves that area. So the first battery-electric lines would go into areas that

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have low-income -- higher proportions of low-income and minority people. The battery-electric buses don't travel as far as we would like them to, so I don't want to make a blanket statement that the first battery electric bus is going to go on a route that serves a low-income and minority route. It has to be both a low-income and minority route and short enough that the battery-electric bus can serve it. We don't want them breaking down on the routes that serve those communities.

Hardesty: How many hours do they run?

Bottomly: It is not so much hours, but miles. 75 miles is where the industry is at. We have a number of routes that come in at under 75 miles. We have places we can deploy them. Once you get past the first three or four routes, they get up to 100, 150 miles per day. That is where we are waiting for the technology to catch up with how our system works. But our intention is to get them out and we are rebuilding our pal garage on the eastside to be our battery-electric bus base. The reason we did that is because that base has most of the lines that serve low-income and minority communities particularly in east Portland. To commissioner Fritz's question about capacity, we are looking at -- trimet is the largest transit district in north america that does not have articulated 60-foot buses. And the reason for that goes back to the 1970s when we had articulated buses and they were a disaster.

Hardesty: What is that that you are talking about?

Bottomly: Articulated buses -- a normal bus is 40-feet long, articulated is 60 feet. Same driver, same route but a third more passengers.

Eudaly: And they bend somewhere in the middle like a bendy straw.

Bottomly: They are like a streetcar with a bend in it.

Hardesty: The trains go that way.

Bottomly: Exactly. We are very interested in bringing articulated buses back to Portland because all the mechanics that worked on those in the 1970s have retired.

Eudaly: So they are not going to set them on fire.

Bottomly: They are not going to run for the hills. The challenge we face there is right now the bus manufacturers don't make articulated battery buses that can travel far enough to serve our needs. So we are kind of waiting and hoping that the industry catches up. There are some prototypes out there. We are also piloting a new way of getting articulated buses, which is taking old articulated buses and stripping them down and recycling them essentially. Taking the old steel and metal chassis and reconstructing it as a battery-electric bus. We hope to have our first in north america here this coming summer. If those are successful -- and they cost about a third less than a new one. We are hoping to accelerate the technology if that works out.

Fritz: Thank you for asking me question, if I may --

Wheeler: Commissioner Fritz.

Fritz: There are a number offense corners on the routes I ride than the articulated buses. I would rather have more frequent buses. I would say even a 12-minute headway is not sufficient.

Bottomly: During the peak, certainly it is not. So to answer your question, yes, we are, as part of this initiative, we are adding peak-hour service. That is one of our commitments. We say 10-minute, but in many of those cases it is a minimum. In many cases they are more frequent than 10 minutes on some key routes.

Fritz: I think that is essential. If you are standing up the entire way and packed like sardines they are not going to do it.

Bottomly: Just one other quick thing on the articulated buses. They actually have a tighter turning radius than a regular 40-foot bus. The wheelbase is shorter than on a 40-foot bus.

Fritz: Interesting.

Bottomly: They do well in smaller spaces.

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Fritz: I would rather have smaller ones more often. On Monday I will be in England where we had five-minute bus service my entire life. You don't have to look at reader boards. It can be done. We should be doing it. Somebody used the word reallocation of resources. Are there any bus lines that are going to get less service because of this project?

Bottomly: No. Absolutely not. Jamie was mentioning that when the division transit project goes into place we made a commitment that the hours that are currently on the number two bus, the division transit project will replace, those stay in East Portland. So we will take those hours -- essentially what we are doing is adding significant new hours to the division corridor and to the routes that connect to division north and south. Rather than taking those hours and reallocating them around the region, they are staying in East Portland. That is what we mean by reallocation.

Fritz: My final question is, well, two final questions, but I haven't asked any before now. When is the -- light rail supposed to be finished?

Bottomly: If all goes well a mere decade.

Fritz: I noticed Bobbo was yellow and nothing in the other phases. Is there any possibility of having some enhanced service on Barber while we are waiting for light rail?

Bottomly: Sure. We look at that as part of our normal review.

Fritz: As you do that, I would like express buses. If you make them express beyond the city limits, particularly the Sherwood, to get to Sherwood all you have is the 94. But then they are able to turn around and come back faster as well. I would encourage you to look at that. Thank you very much.

Wheeler: Great. Thank you. Commissioner Eudaly. I apologize.

Eudaly: Thanks. Thank you all for being here. Thank you for your partnership. We literally couldn't do this without you. We are striving toward our shared goals and values. I was hoping for increased service to the Rose Lanes. If we don't meaningfully increase capacity on these lines we will not maximize their potential, we will have diminished outcomes in this pilot that may dampen the public's enthusiasm and not get us to our ridership goals as quickly as possible. Because we say 25% by when? 20 --

Bertelsen: 2035.

Eudaly: My goal is a lot faster than that. So I have two asks. One is as Trimet monitored the progress of roads, lanes or the impact, there is a willingness to be more nimble. I have already seen that with the Burn sideline. You said you might change the schedule a year from now and because of the significant consistent time savings you've already changed the schedule within a couple of months. Do I have this right? I have a massive volume of information coming at me constantly, but I think I got that right. I would ask for that same willingness to reconsider if we see some really immediate significant benefits and the other commitment that I would love to see is I know you are spending upwards of \$14 million a year to deal with congestion. And as you see operational savings, which I am almost certain you will, that that money gets reinvested in increasing service on the Rose Lanes. Those are my two asks.

Bottomly: Message received. I hope we look at this as a minimum commitment from us given the resources that we can currently count on. If we can do more, we will do more.

Eudaly: I will end by saying, when I did the congestion pricing tour of London and Stockholm, I don't think I waited more than three to four minutes of any mode of transportation except the train to the airport in Stockholm, which was at 4:00 a.m. Chris, how long did we wait? Seven minutes maybe. Granted those cities are larger and further ahead of us with their public transit systems and have huge mode shares, but, I mean, that is what I'm aspiring to.

Fritz: One more question, if I may. Would you state on the record if we could find funding to make the entire system fare free, would you be willing to do that?

Bottomly: Look at the time.

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Fritz: We've been having this conversation ever since bernie got to trimet.

Bottomly: If there was -- i'm going to say yes with a footnote.

Fritz: You could just say yes and leave it there.

Bottomly: I can't. You know I can't. There's always a yes, but -- revenue is \$100 million for us.

Fritz: So we need to find that money for you.

Bottomly: The difficulty would be -- could be that -- and I don't want to seem parsimonious, that, you know, with a free system, you would see additional ridership. You can't just look at the lost fare revenue and say that would be enough to offset the additional cost. So if it covers the cost, the real cost of a free system, absolutely, yes.

Fritz: In corvallis they had a 37% increase in ridership. We are talking about the climate crisis. Our planet is on fire. I would work with you after I retire.

Bottomly: In corvallis the city imposed a utility tax to help pay for that. We are happy to partner with you on that conversation.

Eudaly: Hint, hint, nudge, nudge.

Wheeler: Commissioner hardesty.

Hardesty: Thank you, mayor. I just want to thank you all very much. I'm very critical of whether or not trimet is a good partner and the reason i'm critical is because I sit in this seat and hear promises that are made, but I don't see any signatures on a dotted line with commitments. I have that today as far as what your vision is for between now and 2021. But I think that it would be really great to have -- to invite city commissioners to come and talk to your board so they understand the impact of the lack of investments in certain parts of the city have on the system. And to support my colleagues, commissioner Fritz, if we are talking about making life-long public transit users, trimet would be crazy not to be giving every kid a bus pass that is 12 months every year like popcorn. It is crazy not to do that.

Bottomly: Well, I can't help myself but point out that trimet does put \$1 million into the Portland public school student pass program and the city doesn't.

Wheeler: Okay. Can I -- we need to hear from our bosses on the rose lane project. We're all in agreement, I think, philosophically that there are questions about the youth pass and we have had this conversation. There are questions about free transit, which I support. That is an important question we have discussed. There is questions about governance, trimet, vis-a-vis the city and the county and the region. We are not talking about that today. We need to hear from our buses, unless there is anything related to the rose lanes I would like to get to that.

Fritz: I have one question for the sponsor. Not you, is the intent of the rose lanes to have them for trimet and institutional buses like pcc, lewis & clark, oshu?

Eudaly: Funny you should ask that, I just initiated the conversation with the bureau last week and look at the pcc cascade sylvania shuttle to see if there is orr lap with rose lanes and determine what, if anything, to allow that use. I think one catch is that, like I said, rose lanes are not just paint on the ground. They will be specialized signals as well. There will require technology on the bus that the shuttle buses don't have. Absolutely. I'm jealous of seattle. They have a van pool system. If we had a van pool --

Hardesty: They only have one city in their transportation system.

Eudaly: Right. So my answer is yes, but we have more work.

Fritz: I heard rumor the transportation network companies want access to this.

Eudaly: That is not part of this conversation. They want access to all of our public right-of-way.

Fritz: They are ride share, not public transportation.

Eudaly: Right. No. Absolutely not.

Fritz: Do we need to put something in the resolution to make that clear?

Eudaly: I don't believe so because this is very narrowly focused on public transit and it's about mass transit.

Fritz: Okay. I will give you a proposal. Let's take testimony first.

Wheeler: I think we should. Karla, how many people do we have signed up? Karla: We have 30.

Wheeler: Two minutes each. Welcome. Thank you. As Terry just noted, if somebody has written testimony for the council, hand it to Karla. Good afternoon.

Terry Parker: Thank you for the opportunity. Terry Parker from northeast Portland. In January I testified against removing a full-service traffic line on Sandy Boulevard to add bike lanes. It would increase congestion, fuel consumption on the corridor. Removing a full service traffic lanes to add bike lanes on Sandy would have similar impacts. Cut through traffic will increase, removal of on street parking will create negative impact on the nearby businesses. Pbot, ODOT, MMA agreement, Pbot can't make a change to add congestion applies. A relief valve for I-84, using the Glen Jackson bridge, Pbot cannot reduce motor vehicle capacity on Sandy without state involvement. Traffic lines up, at times backing up as far as Hollywood. Any plan that would reduce motor vehicle policy must be accompanied by an impact statement. The 10 cents a gallon gas tax Pbot made comment after comment that everybody should pay their fair share. When motorists drive on a street, they pay a gas tax, bikes in dedicated lanes of privilege they pay nothing. Transit riders are charged a fare that barely covers the 25% and zero for the infrastructure cost. This smiles away from Pbot's equity that everybody should pay their fair share. Not everything can fit between the curbs on Sandy. The increased congestion must be equally weighted whereby the whole entire street needs to flow better.

Wheeler: Well done and under time. Good afternoon.

Kem Marks: I'm the director of transportation equity at the Rosewood Initiative in outer east Portland. I am here today to encourage you to support this proposal, even though I do believe that it can be better. It has improved over time. I was quite dismayed when the original information came out and east Portland did not have any proposed corridors. Lucky that has changed. We look at this is a systems wide issue and there are a lot of bottom x downtown that impact east Portland. However, we believe there is more room for more corridors to also be included as the pilot project becomes a full bore, you know, program. I want to also thank Commissioner Hardesty for her comments. I think that they are very spot on. Bernie, if you are behind me still, we look forward to holding your feet to the fire on no consolidation of bus stops. That is a hill we are willing to die on. We also would like to note that if you looked at those hexagon maps, east Portland does not benefit as much from the -- from this project. That is specifically due to the lack of service that TriMet has, you know, provided in east Portland and another comment for TriMet, you all do have your own taxing authority and maybe you could start looking at implementing it. Also I would note that TriMet did not, or declined to seek funding through the t-2020 process for operational funds to increase service.

Wheeler: Thank you. Good afternoon.

Matt Otis: Hey, there. I'm Matt Otis, southeast Portland resident. I have been a big fan watching you on YouTube. First time in the room. Some of you. Don't want to be too honest there. So, all right. So what I want to do is first off I want to thank Commissioner Eudaly and her staff. April and Jane Jamie.

Eudaly: Jamie is mine, April is Pbot. We are all one family.

Matt Otis: Thank you all you all for work on the Rose Lanes project. It is a formative change to make transit more reliable and attractive by prioritizing buses. In doing so we can move our community a lot closer to our equity goals and climate goals. To do this well, I ask that we hold the traffic engineers to task to focus on moving people rather than simply moving cars. Just because cars are flowing doesn't mean people are moving. They are not the

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same things. And I ask that the tools they use to gather feedback on the project are subject to more equitable and people centric challenges. Time goes fast here. This is fun. I think there are a couple of key points to use. Don't use the classic traffic models, demand, propensity auto use. Use equitable feedback tools with the loudest people with the time, like me. Engineers document their process so when we go back we know what they decided and why. Please let us know why. Be bold. This is probably going to be a surfing. Get excited. Add lanes on all the corridors. Take everything from 205 to the hills and give us a straight shot, luxury lanes the whole way for buses. That would be fantastic. Be direct with the staff. Pbot needs to treat it as transformative change. Let's have fun and do something great.

Eudaly: Did you see the red carpet.

Matt Otis: I did. I'm going to get some cookies later. You need to pursue bus rapid transit, be bold in this application and please approve it.

Wheeler: Next three. Good afternoon.

Aaron Brown: Good afternoon. I'm aaron brown living in the st. John's neighborhood. My favorite line is 44. I know i'm usually here to testify to throw spitballs, but here i'm here to congratulate staff. This is the most important issue for climate justice, general affordability that our government has put forth in decades. I made the time because I wanted to say I was there the day our local government began to take these steps. I was a kid, I collected bus and transit maps, in college I put them up in my dorm. As an adult, I get them framed. These maps are fascinating because i'm a geek, but they demonstrate a vision and explain a vision of a city comprised of distinct, walkable storied neighborhoods by accessible, affordable desired transit and this is a Portland that aren't near city centers as interconnected community centers with abundant housing, jobs, schools, they are a cheap ride from each other. I see that in the rose lane project. It is a bold statement of a vision of Portland where we realign our existing public resources and infrastructure, the enormous amount of right-of-way we dedicate top carbonized, automobiles to a network where Portlanders sit shoulder to shoulder on the bus ride home. I'm running out of time. Definitely pass it. Make sure step by step when people say we need the parking spot, no, we need the bus. The Oregon transportation commission is scheduled to vote on the rose corridor, pangs freeway. The 4, 44, 77 bus lanes and the Portland streetcar end up with slower times with this \$800 million project. I'm bringing it up to say if we are passionate enough to make transit move frequently and fast, we need to be looking at that.

Hardesty: You are doing so well on your time.

Wheeler: It was the story on the maps that put him over.

Alan Kessler: Good afternoon. Thank you. This is amazing. I have been grinning all day. Yeah, I can't believe this happened so quickly and it is incredible. The one lane we put in right outside of city hall, the impact that has had. You're going to be nationally famous for doing this. This is going to be transformative. Please give it everything. The --

Hardesty: Well, not everything.

Alan Kessler: Please give it everything it deserves. Thank you. All right. Fair enough. So i'm really happy and I could laud you all day, but i'm going to shoot some spitballs. Parks and rec right now has an opportunity to stop this freeway expansion and this is important. This is relevant because we're about to spend all of this money and all of this political capital of rolling up the red lanes and we are going to break it. We are going to break the train. We are going to break the streetcar for what, five years, it is going to drag out. Any momentum we are going to get is going to be gone. We have to stop this freeway. This freeway cannot ruin our transit network. Parks department right now has been secretly meeting with odot to put together a concurrence agreement that building a freeway lane over the esplanade will have a minimus impact. They need to do a 4f study. That pushes them out. They have to do a real environmental impact study. I don't know why this is

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happening in secret. We need to have public hearings about this study. This is a tool we can use to stop the freeway. We need as a city to be saying to odot, you cannot break our transportation network. Whatever you are doing, it is not going to be that. We have to say to trimet it is not okay you are spending \$1 billion on a choo choo train that will be here in a decade. We are spending \$10 million on the rose lane maybe if we can find it. What transformation can we get with rail money. Let's do this for real.

Wheeler: Thank you. Good afternoon.

Matchu Williams: Good afternoon. On here on behalf of the southeast neighborhood coalition. Our mission is to collaborate to build inclusive and participatory neighborhoods that support our social and ecological well being. This rose lanes project benefits the southeast neighborhoods and city as a whole, we urge your support for advancing the rose lane project. We ask that city council ask pbob to move forward, understanding the nature of a pilot project we ask city council direct pbob to identify context sensitive tools to enhance transit liability and be implemented within the one year time frame. The rose lane project is an important step toward prioritizing transit, making it more reliable to people who have the ability to use it. Meet our equity and climate goals meeting the challenges posed by a growing population. There is a severe time penalty in Portland compared to driving. This penalty most adversely affects transit dependent folks but discourages new users. Greenhouse gas emissions are increasing in the region. The rose lane project is an important tool in approaching our goal of 25% trips made by transit with the potential benefit of less greenhouse gas and air quality. The rose lanes project concept has the potential to deduce delay in the most congested areas, allowing riders to have shorter ride times and translate use a more viable option to trips to and from work, school, medical appointments, day care pickups. Those reduction in travel times increase the ability increase access opportunity, lessen isolation that supports displacement and supports our well being. Thank you. Next three, Karla. Good evening.

Doug Klotz: My name is doug klotz. I support the rose lanes project and urge you do move forward with this important plan. Thank you to commissioner eudaly, jamie and april in developing this plan. My wife and I were early supporters of the Portland bus lane project and we support the rose lane project which will carry that work forward. As the first three lane installations have shown this can make a marked difference on route times throughout the city, a difference in which I understand cascade further east. Better transit is a key to reducing carbon emission and reducing transportation equity. I trust the project includes traffic engineers that mesh your throughput of people not just cars and prioritize bus loads of riders over single occupant vehicles. I have been an active transportation advocate in Portland for 30 years I think this is the most effective action the city has taken to meet equity and climate goals. You can have electric articulated buses. They had them in san francisco for decades. They have overhead wires. I know you have to build the wires.

Hardesty: I wonder if we have more rain in san francisco.

Klotz: They work in the rain.

Hardesty: Well, yeah, but -- next.

Jeffrey Yasskin: I'm jeffrey Yasskin, I live in southeast. First I wanted to call out that i'm fairly privileged so give more weight to testimony from less privileged people. So with Portland's increasing population we need to build capacity to move more and more people around the city. We can't do that with private cars. Private cars take too much space, emit too much carbon dioxide and more difficult to electrify than a bus fleet and tires emit particulates. The transit needs to get where people get to go in a short amount of time. The transit can't be predictable and quick if it is blocked behind other traffic. So we need dedicated lanes which is rose lane project does. Please build it as soon as possible.

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Doug Allen: President Hardesty and commissioners, i'm doug allen, i'm speaking only for myself here. I retired seven years ago from trimet and I worked 35 years, a large part of that in the trimet scheduling department. This is a dream come true for somebody whose professional life was around efficiently scheduling transit vehicles. This will save so much time and money that can then go into service for people. Transit priorities is not something new. Bernie pointed out the Portland bus mall was a big step forward. Throughout my history at trimet I never saw this level of cooperation between trimet and the city of Portland to add service and put in bus priority in an efficient manner. This does mean a big investment. What you are doing now is just a start with your pilots. You are going to need big investments in signals. You will need, I don't mean taking out, but relocating some bus stops where they are before a signal to being right after a signal to allow the signal priority to work efficiently. We currently have a very first generation signal priority system that is very ineffective. We are hoping to see something much better come out of this. So I appreciate the work that's gone into this and hope that trimet steps up and provides the needed service to provide the increase in ridership we know we all need.

Hardesty: Karla, call the next three.

David McCoy: Good afternoon. My name is dave mccoy. I live in southeast. I ride the 15 and the 8. I'm here to strongly support this rose lane project. I ride the bus, but I also drive far more than I wish I did. I have the privilege to make that choice. I make it largely because when I leave the house with my infant strapped to me and my toddler holding my hand, you leave the house without a car, you are putting yourself at the mercy of the transportation system. I need to know that morning I can get off early enough, go downtown, get my kids and get them on the bus before the car congestion starts. Too many times I have been sitting on -- standing on the corner for 30 minutes watch full bus after full bus pass our stop without stopping with a crying baby and melting down toddler. Thank you for putting forward this initiative to fix this. One thing I want to call out, the map of the enhancements is beautiful. The bold vision red lines all the way across. I understand it may not look like that in practice. There may be dotted family circus line, but you have the choice to stand up against what is asked of you, say these parking spots, save these turn lanes. It is more than time saved. There is as a physical experience of riding the bus. Cars are swerving in and out and merging with traffic. Last year the bus pulled out into, it was trying to merge into the traffic lane, car cut it off, driver slammed on the brakes. My toddler was thrown out of his seat and face hit the chair in front of him. Luckily the chair was there. He still loves the bus. Take this anxiety off of me and every other parent who tries to make a new generation of transit riders.

David Stein: Good afternoon. My name is david stein. Southwest Portland resident. Carbon, transportation rider. I should disclose i'm the vice chairperson of the Portland bicycle committee. We submitted a letter. I'm speaking on my behalf. I want to emphasize a few points. That bicycles and transit get along very well together. They are complementary and should not be an adversarial things. Bus drivers are professionals and conduct themselves in a much more responsible manner than most drivers in private vehicles. I also want to call out trimet a little bit. A lot of what they've done in the past hasn't shown that they are operating to really benefit us is as much as possible. Rose corridor: Very little outside of that that will strain us. I would like to see as those rose lanes go in, there is a lot of thought put into how we can make the most of this opportunity and get as many people riding as possible. We should not hesitate to take away parking spots. We should not hesitate to take away single occupancy vehicles that are not good for our system. Taking out parks spots helps reduce the demand for people to drive because there is nowhere for them to go. If you don't have anywhere to go, you can take the bus.

Wheeler: Thank you. Perfect timing. Good afternoon.

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Ady Leverette: I'm here representing business for a better Portland and line 20 is my line. We sent you a letter in support of the enhanced transit corridor plan. Commissioner Hardesty wasn't elected yet. This was notable in that it was a letter in support of bus lanes signed by 48 local businesses. That's right. 48 local businesses took the time to support dedicated bus lanes. We have new leadership from Commissioner Eudaly and Warner and we continue to focus on our advocacy of a safe, efficient and equitable transportation system and the city, regional and state levels. Why do businesses care about bus lanes? Our members clearly recognize the connection between the effective functioning of the transportation system and economic vitality. The streets of our system are the circulatory system of our economy, essential routes that carry people to work and goods to market. If those streets are dangerous, polluted and congested our economy suffers and so does the quality of life we trade on and hold so dear. More people riding the bus to work have become subject to ever increasing commute times. This is problematic if you are a worker who clocks in at a particular time. You cannot be late. If you are serious about reducing pollution and creating economic opportunity it is critical we free the city's buses from traffic gridlock. I wrote a lot more, but I should skip to what a privilege it was to participate in the advisory group to help guide the development of this project. I want to commend Jamie and the Pbot staff for the process driven by vision improving transportation outcomes for people and especially people of color. Is city is well served and it was an honor to work alongside them.

Wheeler: Thank you. Next three.

Eudaly: I want to know I have multiple classmates from the traffic and transportation course in the room.

Jose Mikalayskas: Good afternoon. I want to thank Eudaly and Joanne for setting up my testimony very well. My name is Jose -- the climate organizers, a bus ride united leader. These projects make us believe some of our leaders know and feel public transit is a lifeline to our communities. Rose recognizes has had major success making our transportation system more effective. We are investing in inner Portland and east Portland and Kelly are not receiving the same investment. Rose lanes relieve pressure extending to east Portland. This does not excuse the connection to east Portland. There are several buses that overlap, in east Portland and Cully we do not have the same abundance of access. We need to make a transformational shift in what neighborhoods we are investing in. We need action to make sure the prioritization of service in east Portland. This means working with TriMet to increase service lines to intersect outer part of our city. In some locations it takes an hour to move folks 1.5 miles and no bus goes directly downtown. TriMet proposed is not enough and taking too long to implement. We understand that Rose lanes will help our disadvantaged communities with the sheer number of community members that use transit. While some of us do go downtown, not all of us need to. We need adequate bus service interconnecting our communities. Interconnecting east Portland and Cully, not only will adding Rose lanes increase traffic efficiency, but the safety in Rose lanes would lead to getting more cars off the road. As you continue this good work with the Rose Lane project and our committees encourage you forward, we impatiently wait for your next public transportation project and hope you keep moving us forward. Thank you.

Wheeler: Thank you.

Chris Figura: My name is Chris Figura, born and raised in north Portland, lived here my whole life, over 42 years. Over the years Portland has become one of the most desirable cities to live. Each day about 100 people move here. With that many people moving here, the roads are getting congested. We need to do something to free up traffic and make things flow more smoothly. The Rose Lane project after listening today is not it. I believe that a better way to kind of spend the money after listening to everything going on would be to

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maybe increase more buses and they were saying kind of more frequently and full. Currently right now buses are usually full three times a day. Early morning, afternoon school kid and late at night for people returning home from work. No matter if you have buses going every five minutes, during the time people are at work those buses are going to be empty. To shut down a major traffic lane people are commuting through, a few people waiting for a bus because they don't time it right and wait an extra 10 minutes it doesn't seem like it is serving the bigger picture. I would like to see something to serve everybody as a whole. Increase the bus routes out to eastern Portland and other areas that are isolated right now and don't have the bus routes. Also you have about 650,000 people each day and 350,000 cars added to our roadways from each city. Daily people, many single mothers and fathers have to commuted a take their children to school and work and have to pick their children up and return home. These people are from all areas which is not reasonable to ride a bike from or spend four hours plus waiting for and riding public transportation, not to mention many people have jobs which require them to drive around in the city each day and with the increased traffic we'll soon be looking for more driver friendly cities to do business in and they will move out of the city.

Wheeler: Thank you. Good afternoon.

Mary-Margaret Wheeler Weber: My name is mary margaret wheeler webber. I'm a member of the portsmouth association. Some of our assets include new columbia, bridge meadows, the fabulous columbia pool and number 4, number 75 and number 35 buses. The number 35 is my favorite bus and until about five years ago it was a great way to get downtown and it was how I got to work on most days. In the last five years or so, I have lived in portsmouth over 20 year, it has gotten slower and slower, to the point where I now drive to work most days. In spite of knowing that climate change is real, getting a free bus pass from work, in spite of owning a bus-themed t-shirt and a regular bus commuter in the past. I enjoy a ride that doesn't suck out my life force by the time I get home from work. I can't bring myself to spend two hours a day on my work commute now. I work in inner southeast and uh can drive in 15 minutes and home in 30 minutes if I drive. After working a nine--hour-day, I like to make dinner, talk to my husband, swim in columbia pool. The time it takes to get to and home from work on the bus will make a huge difference on me. It will have a huge impact on my neighbors, too. Portsmouth isn't that far out. It should be easy for us to get to work on the bus again. And I think sometimes people forget that portsmouth also includes a lot of communities that continue to be very marginalized economically and left out in a lot of ways. So i'm really glad you are doing this. I'm so grateful the number 35 is included, but i'm looking forward to the overall impact. Thank you. I'm looking forward to seeing what comes next and seeing you put transit forward.

Wheeler: Thank you. Next three, please.

Anna Kemper: Hello. My name is anna kemper on behalf of sun rise pdx, we are growing coalition of young people concerned about climate change and care about creating a just and sustainable future for all. Thank you for your time today. I'm 23 years old and climate change looms around every decision regarding my future. Science says we have less than 10 years to make bold political changes at every level of government and every sector of our lives to avoid the worst impacts of climate crisis. 40% of our carbon emission in Portland comes from transportation. Let's imagine what Portland could look like in 10 years? Where as a city would we like to be? In regards to public transportation I hope we would have taken bold progressive action such as the rose lane project. We are grateful to commissioner eudaly and her team and the physical line going towards the pilots. We hope council will lean on pbot and trimet to push for transportation justice. To the pbot and trimet staff, as you continue implementing the projects, please remember we are fighting for an equitable and livable future. We have no time to waste in transportation planning. Our lives and our childrens lives are on the line. As a city we must be swift and equitable in

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our action. Sun rise is excited and ready to push pbot, trimet and odot to prioritize bigger bolder projects. Creating swift and safe transportation for all is key to environmental and climate justice work. The city owes us to treat the climate crisis like it is. Vote yes. We are counting on you. Thank you.

Hank Stowers: Hi council members, i'm hank stowers, a resident of the buckman neighborhood, avid member of sunrise pdx and trimet honored citizen. I'm here to give my full support to the rose lane project. I am a huge fan of this. Commissioner eudaly, thank you so much. This is awesome. Thank you to everyone who has worked on this as well. It is truly invigorating to be living in a city to have forward thinking transportation measures that will impact my life. For the past three years transportation is definitively cause of greenhouse gases in the world. As you see folks with climate justice transit justice equals climate justice signs, that is a very literal statement. I work two jobs and it totals to be about 60 to 70 hours a week. I'm also a dedicated public transportation user. I do not use a car to get to my work so it can be taxing on time. The -- yesterday when I was riding home, I was stuck in traffic downtown. I live on the eastside. I left work around 4:30 p.m. And it took me two and a half hours than it should have taken me to get home. It was a long way. While I was waiting I was reflecting on the fact that as a youth activist I was feeling particularly miffed between my two jobs and engagement and passion for my community, I was stuck on a bus that I like being on, but not for two and a half hours. I fully support this. There is a quote that says the role of the artist is to make the revolution irresistible. If you want to revolutionize public transportation, access equity and climate responsibility I urge you to craft and undertake the most robust and irresistible version of this project.

Colin Herring: I ride the 33, 12 and 4 lines on any given day here with sunrise pdx. I would like to thank commissioner eudaly and pbot. It is an outstanding opportunity to expand public transportation access for low income and make transportation feasible in high traffic areas where buses are delayed due to high car traffic. I'm excited to push the project forward and I look forward to doing so it will not be enough to reach net zero emissions by itself. As a commuting student who works in the city many nights a week, traveling night is more difficult than the day, I share small bus stops around the city, the bus isn't scheduled to come every hour. Some buses don't run past 9:00 p.m. Which at that point i'm still at work. This means there is some more to be done regardless of the steps we are taking. The expansions I was happy to see, but transit on the eastside of the river requires massive overall. Transportation justice is climate justice. I'm in support of full implementation and make sure the elected official's sunrise is ready to badger trimet and odot. We have your back here and we have your back as we heckle institutions that are holding us back from transportation and climate justice. I wanted to say more, but I know time is short. Pressure should be on trimet, Portland bureau of transportation and the city of Portland. Please vote yes on the rose lane project and we have more to do. Pass this. I'm looking at you city council but behind me at trimet. That's all. Thank you.

Eudaly: Make the revolution irresistible.

Hardesty: The revolution is now.

Wheeler: Good afternoon.

Eudaly: Wow. Let's let them go first.

Wheeler: Stranger things have happened in this chamber. Just so you know.

Jon Gove: My name is john -- i'm a southeast Portland resident and a trimet bus driver. Have been for four years. For the record, I ride my bike to work every day. As a trimet bus operator, I have a front row seat to the daily impacts of the congestion caused by too many vehicles operating in too little or poorly designed roadway space. I experience firsthand the snowball effect of traffic delays when one bus gets delayed due to traffic congestion, it affects all the buses on that line as has been testified earlier today. I see the frustrated faces at the bus stops when an overfull bus drives by them, passing them up. The rose

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lanes and dedicated bus lanes reduce or eliminate this problem. As a passenger if you can't trust the bus you need to take is going to consistently be on time, you have no choice but to take the next earlier bus. This disrupting your entire home schedule in the morning and affects when you get home at night. Passengers feel a loss of control. It is no wonder so many choose to drive. This will bring people back into the bus because it brings consistency and trust back into the scheduling during the times that matter most to the working families. That's it.

Wheeler: Thank you. And thank you for your service with trimet.

Moore-Love: Was there a David Benning and Richard Shepherd?

Richa Poudyal: Good afternoon. My name is Richa, I'm advocacy director at the street trust. I'm transit dependent. At the street trust alongside many of our partners have been involved in the advisory team to Commissioner Eudaly and staff leading up to today we have been pretty good at prioritizing investments for our communities of color and buses in east Portland are faster and more reliable and demand a holistic approach to measuring success including striving for reliability for people not just taking the bus to work, but see their families, access food, community and health care. We are glad to see many of the priorities reflect and plan today pieces we need to see carried forward. Enhanced like bus lanes do not exist in a silo. We must ensure that the community sees the results of transit investments, increased frequency, new lines and these improvements are centered on low-income communities and communities of color. I have some asks. We ask council to see more clarity on a funding for phase two. We were here in 2018 when we adopted an unfunded etc plan. We need the community sees benefits of faster travel and increased service. Thank you to Jamie and Pbot for facilitated that stakeholder process.

Wheeler: Thank you. Good afternoon.

Glenn Bridger: Good morning. My name is Glenn Bridger, we are going to be addressing a specific project that is included in the proposal. And that is the project that is on the graphic. This is Capital Highway that runs from Barber on through the Hillsdale Commercial District to the beginning of the the Beaverton Hillsdale Highway. The project removes both eastbound and single westbound lane through the commercial district of the Hillsdale town center as well as removing the westbound lane all the way from Barber up to the commercial district. So it is having a significant impact in our area and I want to address two main concerns. One is we don't want to see a decrease in the pedestrian bicycle safety of the residents in our area unless you find a way to mitigate this. Because there will be potential problems here. Second is we don't want to see jeopardizing the fragile commercial activity in the Hillsdale town center commercial district. We know there is going to be traffic diversion. When you remove half of the traffic from an area, there is going to be a diversion. This part of Portland does not have street redundancy. There are no parallel streets that the traffic can move on to or the people can walk on or the bikes can go on. Pbot found out how tenuous this was when they tried to put in bike greenways and could not find good through routes. Those bike greenways are, in fact, going to become the future diversion routes for all the traffic that cannot go on these through routes. So that is a serious area. I would like to ask you as you go through the project to consider two other major projects affecting our community. One is the light rail project down Barber that will have an impact on traffic, second is the tolling of I-5, which will have a traffic impact in our area.

Wheeler: Thank you.

Don Baack: Good afternoon Mayor and Commissioners. I'm Don Baack Hillsdale. The devil is in the details. One size does not fit all. In southwest particularly Hillsdale we have very constrained traffic alternatives, changing one thing changes a lot of things. There are a number of red lines, those are affected by dropping one lane on Capital Highway. You can see mitigations we are asking for. The business impacts are expected to be significant

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because if we make it more difficult for cars to go through and we are basically a car dependent community in southwest. There is no question about that. Even though we have a lot of bus lines that go through hills dale. The business community would be significantly impacted. Needs to be considered. One of the things, if we take the lane off, we want mitigation for is something in our hillsdale plan would be to make it possible to pro time, when it is not a busy time, have parking on one side of the street in this bus lane, requiring improvement of the bike lane along that stretch. The second thing mitigation wise we'd like to make sure this little circle you see is 300 feet of extended shoulder needs to be built between westwood and sheltenham, very dangerous part of the street. Mitigation from pedestrians, we need to have that in addition traffic calming on these streets. One of the things that is important, traffic calming, the city doesn't have a record of getting below 25 miles an hour with speed bumps. We need more community ways of doing it or more speed bumps in terms of density. Finally, the business area, the final thing I want to emphasize is it will adversely affect ped-bike safety on those streets that diverted traffic is on. Thank you.

Wheeler: Thank you.

Eudaly: Thank you for bringing your concerns to council. I want to make it clear that the corridor that you are talking about is part of phase two. It is still in development. There are multiple options. There have been no decisions made. We'll have additional expiration in the corridor including potential mitigation. I have said it before, I will say it again. A red line doesn't mean we are taking out an entire lane for the entire length of the corridor. It means there are a variety of solutions being considered for that corridor and I would hope you would know by now that pedestrian and bike safety is the topmost priority for my office and for pbot.

Don Baack: We appreciate that. We wanted to make sure you understood our concerns are very valid in hillsdale. Getting a baseline of what the conditions are before we start anything.

Wheeler: That is good.

Fritz: May I make a quick comment? Capital already goes down to one lane after wilson high school. So I had similar concerns in capital and 49th going up to pcc sylvania, four lanes to one on each side with a center turn lane. It is remarkably improved the pedestrian and bike safety. The cars go slower. They funnel together. It is more difficult to get into those off the side streets, but that is not a problem in the hillsdale town center. I would encourage you to have a look at what has been done south of barber. It might address some of those concerns.

Don Baack: We are not opposed to this project. We just want to make sure if there are issues, we can get them solved. 29,000 cars a day come up that hill.

Wheeler: It makes sense. Next three, Karla. Good afternoon.

Clint Culpepper: Thank you, mayor and commissioners. My name is clint culpepper, the transportations operations manager at Portland state university here the represent the tens and thousands of students and employees that we have. Portland state university is a strong supporter of the rose lane pilot project. Is one of the largest generators of daily trips in central city. We recognize the importance of reducing our contribution to congestion and emissions. Psu in partnership with trimet and the city has made great strides with nearly 13,000 employees riding transit daily. This amounts to 49% of psu students and 40% of employees. Outpacing the city as a whole and exceeding the city's climate action goals. But there remains more that we can do to help our city and our climate. Students and employees continue to express their desire for faster and more reliable transit. Including those who currently commute to psu alone in a car. The rose lane project promises to prioritize transit in a fundamental way that reflects the value and potential of our public right of ways. It will through decreased travel time and increased reliability allow partners

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like psu to shift many more trips on to transit. It further opens the door to affordable and reliable transportation choices for our students, many of whom struggle with the high cost of living while attending the university and working hard to create a better future. We'd like to thank the pbots staff committed to making this project happen as well as commissioner eudaly for championing the concept. We ask the city council approve the rose lane pilot project as put forth by pbots. We urge commissioner eudaly, pbots and trimet to ensure the rose lane projects move forward with benefit to current and future transit riders.

Matt Flodin: Good afternoon. I'm matt flodin. We are moving to southeast this weekend.

Hardesty: Welcome.

Eudaly: Welcome.

Hardesty: Welcome to the big city.

Matt Flodin: Yeah. I fully support the rose lane project. These dedicated bus lanes will motivate me to take the bus more by speeding up bus trips and giving the bus the priority that it deserves. The chief complaints that I hear from my friends and family and from myself as well is oftentimes that the bus is just too slow and by taking my car I can get to my end destination faster. It makes sense. But on the other hand, I look around Portland and it doesn't make sense to see a vehicle, a bus, that can roughly carry 40 people sitting, 60 people if you pack it out, waiting for a few vehicles carrying one to two people, maybe five, few you are lucky. People like me who own a car but open to using the bus, we need the bus to be a fast, feasible reliable option for getting to work and the grocery store and everywhere else on time. If the bus is significantly slower than my car, i'm not going to be as motivated to take the bus every day of the week. I know the bus is a more environmentally friendly option. I know I can save money on gas. I know I cannot have to look for a parking spot. What is going to convince me is the travel time. We see buses blow by traffic on madison, the burnside bridge. Once these improvements start coming in, that is only going to be multiplied, which I am all for. If the rose lane project is implemented I will definitely take the bus more than I currently do. I very much look forward to this project being implemented. I fully support it. Thank you.

Wheeler: Thank you.

Kassandra Griffin: Hello. I'm Kassandra griffin, executive director of the community cycling center. We are 25-year-old transportation justice organization that wants people to get to where they need and want to go. If we can use bicycles, we will. If that is not the right option, we would like them to have other great options, preferably for free, ideally for youth. We are on the advisory committee. We thank commissioner eudaly for her leadership. This is the biggest transportation project out of city hall focused on improving outcomes for marginalized people. We agree with commissioner hardesty there is more that needs to happen. Now my computer wants to update. We need to be getting people out of cars. This is a tool to make riding the bus more appealing and driving less appeal. We need to take those steps. In closing, I want to emphasize we are multimodal. I have a bike riding household. Today my wife drove her car because she is eight months pregnant and she can't fit in her rain pants. I took the bus because I didn't want to manage rain pants in this room. We are multimodal, getting more people on buses and getting buses moving quicker benefits us for the air we breathe and travel times no matter what mode we are using. This is a creative step forward and we urge a yes vote and thank you.

Wheeler: Thank you. Good afternoon.

Eudaly: Kyle.

Wheeler: Looks like you are it. Oh, well, hey. It's got to be good then. I'll give it a try.

Hardesty: No pressure.

Sharon Nasset: Thank you, ma'am. Council members, thank you so much for being here and for having the citizens come and talk to you. They come here and talk to you because they believe in you and believe in in the system and believe you want to help. The thing

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that is missing right now here in this conversation is this is a three stool, a third wheel project stool, legislative body, you guys, pbot which is executive or odot kind of executive and the it is zeps. And projects locally preferred alternatives come from the citizens. You look at it and say, yeah, that is what we want. We'll put money into it and constructed by pbot or odot or whatever. As you noticed here today everybody is coming forward individually, but there is no environmental justice group. The third leg of the stool, that is paid for. For a lot of years as you might remember, jerry sunvail williams ran the environmental justice group until odot disfunded it in the crc of 2005. Citywide we have not had an environmental justice group.

Hardesty: We have opal

Wheeler: Let her finish.

Sharon Nasset: As a third wheel that we go to that is paid for and as so trimet said they did their own outreach and had to do their own environmental justice and gee, wiz, they knew who to call in the neighborhood who is in touch with everything. It has to come up out of the community and neighborhood. And opal and I in no way meaning to discourage their value, it is strong. Northwest neighborhood association excellent. But that body is missing. They should be correlating these people together. What was missing on the map is 24-hour service. That is why we have congestion on the road. We had that in high school. Ports and industrial areas have no direct access to them. For any of the buses that go from the neighborhoods into those areas, circle them around and come out. We have nothing that is secondary from where they are dropped off at the bus stop to their things considering some are two or three blocks. I have gone over. But that position, I would like to see it refunded.

Wheeler: Thank you for your testimony. Okay. That wraps up our public testimony. We have vote on a resolution and an emergency ordinance. Any further discussion on the resolution before we call the roll? Karla, call the roll on resolution 144.

Fritz: I have been a dedicated transit rider, 61 years, now going on 62. 34 here in Portland and 94, 12, 44 are my most used bus rides. I'm transit dependent in the winter especially. So i'm a thoroughly supportive of this. I think it is a great project. Thank you commissioner eudaly and jamie, chris warner and april in particular. Also kristen howell from Portland bureau of transportation. Doug kelsey and our partners from trimet who are here today. The many community-based organizations who provided testimony. Thanks to cary waters and irene marion doing great work on equity and contracting and other aspects of the Portland bureau of transportation's work. And thanks finally to my staff who helps me understand all offense this. Aye.

Hardesty: I want to take this opportunity to really thank commissioner eudaly and the incredible staff at pbot. Who have worked on this it is always fascinating to see things move quick at the city of Portland, right? So I want to really appreciate the fact that there is a great vision. We know where we're headed. We know why we are doing it. And we just need our real partners at the regional level to actually really step up and help us make this vision a real reality. I understand they have a regional approach and trimet has a vision that is region for the city of Portland. We're really focused on the people. I applaud that we are focused on the people who are most transit dependent first. It is still my belief people who have options will always have options. People with limited options will have limited options unless we do better as the governmental entities responsible for making that so. And so it my hope as we move forward with this project that trimet gets really specific about how they are going to go back and invest in the areas where the investments have been lacking. It doesn't make sense to me to be building more when what we have in place is not adequate. I would love to talk to trimet's board the next time we are putting in new buses to figure out who gets the butt cheek lanes and the real bus stops. I vote aye.

Wheeler: You had to work that in.

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Eudaly: She is never going to let it go. Please. Talk to her.

Hardesty: It is what it is.

Moore-Love: Eudaly.

Eudaly: Well, thank you, colleagues. Thank you everyone who came today. I have a long list of other thank yous, but first I want to share a few brief reflections. Number one, I want to assure my colleagues and the public that with every project pbot advances, we ask ourselves two questions, how does this project help us reach our climate goals and how does this project help us reach our racial equity goals. This projekt is a huge step forward for both. I'm really proud of you. They tell me that one year is lightning speed in transportation. It feels like a long time to me. But I want to appreciate you. Jamie touched on this and I can't say it enough. There is an ongoing harvard study about upward mobility, commute time is -- of reducing poverty. Since I learned it last year, it has been going in my head. We are caught in a vicious cycle low-income people who are transit depend more likely to be communities of color are being forced out to the edges f our city with inadequate transportation and greatly diminished access to jobs and education and other amenities that the rest of us get to enjoy. So I just want to promise you that individual is at the heart of these decisions. Even if phase one, you are not seeing all those red lines in east Portland. That is really who we are aiming to serve. It's just one solution. I do believe it is a huge step forward and I absolutely know there is a lot of more work to do. As a disability advocate and someone who navigates the city with a kid on four wheels, I bring perhaps somewhat unique perspective to this conversation and some different vocabulary. I think about universal design, which is usually something that we talk about in the context of physical ability, but I think about universal design in the context of policy and our transportation projects. Another really lovely term from the disability world is deviation, standard deviations from the norm. That's how children are evaluated for special education services. How many deviations from the norm? And I mention that. And the third thing is, I know painfully well how hard it is to navigate a world that was not made for you through my experience with my son. This city was not made for cyclists, pedestrians or bus riders. Unfortunately, it was made for automobile drivers and we are now trying to correct that kind of overdedication of resources and space and priority to drivers. I know it's painful and unpopular with some people, but it absolutely has to happen. When we address the needs of the extremes in our community and in this case, i'm thinking of someone who is low-income who lives in east Portland, the middle will take care of itself. If we get to the challenges and barriers that person in east Portland is experiencing, everyone along that bus route, along that income line, everyone who has slightly more privilege, is going to benefit to what we deliver to that person. So that is another thing I think about a lot. Okay. Now for my thank yous. I want to thank a lot of people for making this happen and for making it happen so quickly. Just forget I said that thing earlier. First, thank you to pbot staff who have worked many late nights and weekends. My apologies, this last year to keep on pace with our timeline. Huge thank you to april bertelson who has been the lead staffer. Art pierce, emma, kristen, dan bury, mauricio, mel, gina, mike, shane, zef, and paul. I want to thank our community partners for coming to the table over many months to help us stay focused on how this project can change people's lives. You heard from many of them and you heard more asks from most of them as well. And we encourage them to do that. We want the criticism. We want the feedback and we want, we need you to bring pressure to bear on the council, on the bureau, on trimet to do as much as we can. Another huge thank you to jes, carey, sidney, tristan, recha, alan, darren, vivian, adi, ann and andrew. Thank you to our partners at trimet for coming to the table and being willing to negotiate increased service. It is vital for us to continue do work as partners on these lines with each side committing to pushes ourselves further than either of us think is possible. Finally I want to thanks my colleagues and their staff, my own staff, jamie and lead pbot

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liaison initiated this project, and has been my voice with the bureau and community on this item all along the way and I want to add while this may not have happened without me sitting in this seat, it definitely wouldn't have happened without jamie. While I get all the thanks and accolades and the roses, you need to direct some of them at her. Thank you to the rest of my staff for your behind the scenes support that has pushed this initiative over the finish line. Please join us for a reception in the lobby and selfie opportunity with a cardboard cutout of a trimet bus. Very proud and I enthusiastically vote aye.

Moore-Love: Wheeler.

Wheeler: Thank you, first of all, commissioner eudaly thank you for this. I have said this in private and I will say it in public. When I assigned you to the transportation bureau neither of us had a deep understanding of what I was handing to you or what you were accepting. My experience has been that you have done an exceptional job as our transportation commissioner and have an exceptional team at pbot. When we first discussed the rose lane project, I think months and months ago, I was enthusiastically supportive then and you looked at me and said, you do know why this is controversial. I thought maybe this is not why i'm a great politician. I see this as essential movement in the right direction. This is about systems, not just about a project. It isn't even just about transportation. What we heard testimony on today, just taking some quick notes. We heard people talk about the critical nature of the rose lanes in a good transit system in terms of job. Shared economic prosperity. We heard from people who said this was critical to their education and the education of their children. We heard from people who said this is a critical component of families being able to experience the community fully and be able to spend more time together. We heard about equity. Repeatedly as being a hallmark of this project. And I want to thank you, commissioner, and your staff, jamie, the pbot people and all the advocates in the room, a lot of organizational leaders, partners in the community who share this great vision. I want to take two slight digressions. Digression number one, although I was born and raised in this city, I have lived in cities like boston and new york, where the transit systems are complete, frequent and reliable. Commissioner Fritz mentioned this, even though they are on the wrong side of the road.

Eudaly: The buses are two stories.

Wheeler: That is fun. That is a diversion there. But the this has to be our vision for the future. I thank our trimet partners. Bernie you come here often. We have transit systems that were built in the era of the automobile. It is not emphasized like the older east coast cities where they built the infrastructure and assumed people wouldn't have automobiles, but, in fact, all share public transit in a meaningful way. We have to take the steps, whatever they be to create this system. Because we know we are not going to create any more roads. Not in the central city. It ain't going to happen. We have to be thoughtful about how to build a transit system that works and achieved goals around economic prosperity, jobs, family, all these things are an integral part to the community. I want to say kudos to everyone involved in this. I'm very, very enthusiastically supportive. I vote aye. Resolution is adopted. To the ordinance, please call the roll.

Moore-Love: Fritz.

Fritz: I like it when we have two things to vote on because as each of my colleagues, talk, I think this. I'm going to england to celebrate my mother's 90th birthday. Leeds, the same size as Portland, you are concern it works for me because my mother doesn't need to get me out at the crack of dawn to do things. In london, when you get to be 60, whether you are working on, you get to ride the whole transit system for free. There are multiple things we can do. Trimet, aren't you excited about people being excited about transit. Just one other thing I wanted to mention, I brought up the issue of transportation network companies and i'm hoping that these lanes will be for buses including shuttle buses of institutions. Somebody testified about bikes and allowing bikes to use them. Commissioner

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eudaly is talking about that. When I raised this with my staff the cyclists say i'm terrified of buses. I said when i'm on the bus, i'm terrified of the cyclists. The drivers are expert, but they have to slow down to let the cyclist go past. I wanted to mention that as you continue to figure out how this is going to work that I hope that we have safe facilities for, safe, dedicated facilities where bikes can have the right-of-way and safe dedicated facilities where buses can have the right-of-way. I'm happy to vote for the ordinance. Aye.

Moore-Love: Hardesty.

Hardesty: I think one of the things that I will be looking for is to ensure that as we contract for these services, i'm really appreciative that we are actually not going with the lowest bidder. We are being thoughtful about having someone who will work with us throughout the process, but as always, I want to make sure that we are intentional about who we contract with, how we are helping minority and small women-owned businesses actually grow into medium size businesses. Today for me the scariest thing is actually walking in a city. Especially if it is after dark, especially if it is raining, because no matter how bright my clothing is, it appears automobiles don't feel they need to or should stop for a pedestrian. As a community, we have a lot more work we have to do. I look forward to working with you all to make sure that we continue to improve our public transit system. I vote aye.

Moore-Love: Eudaly.

Eudaly: Well, thank you colleagues, for supporting this ordinance. It will definitely allow us to reach our nwndsb goals, I hate ha acronym. I also forgot to mention something. I recently moved to the kearns neighborhood because I realized the single biggest improvement I could make in my own life was decreased my commute and getting -- leaving my car behind. My car is a wheelchair van for my son, so it lives with him. Because we don't have reliable enough public transportation for him, but my bus lines are 12, 19 and 20. It is an embarrassment of riches. And i've really been enjoying taking the bus to and from work. And to be honest, I haven't been paying -- I haven't looked to see if any of these will be rose lanes.

Hardesty: 12.

Eudaly: Okay. Thank you. Sandy. Right? Okay. Yeah. Maybe I will take the sandy more often. Anyhow, I recognize that is a privilege for me to get to move into the central eastside. I feel because I live in a transit rich neighborhood I have an obligation to take transit. I just want to encourage everyone else to hop on the bus more often if that is a viable option for you. And we hope to make it more viable and I vote aye.

Moore-Love: Wheeler.

Wheeler: Happy to support it. I vote aye. Ordinance is adopted and we are adjourned. [applause]

Council adjourned at 5:19 p.m.