



CITY OF
PORTLAND, OREGON

**OFFICIAL
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **3rd DAY OF JUNE, 2020** AT 9:30 A.M.

THOSE PRESENT BY VIDEO AND TELECONFERENCE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fritz and Hardesty, 4.

Under Portland City Code and state law, the City Council is holding this meeting electronically. All members of council are attending remotely by phone and the City has made several avenues available for the public to listen to the audio broadcast of this meeting. The meeting is available to the public on the City's YouTube Channel, eGov PDX, www.portlandoregon.gov/video and Channel 30. The public can also provide written testimony to Council by emailing the Council Clerk at cctestimony@portlandoregon.gov.

The Council is taking these steps as a result of the COVID-19 pandemic and the need to limit in-person contact and promote social distancing. The pandemic is an emergency that threatens the public health, safety and welfare which requires us to meet remotely by electronic communications. Thank you all for your patience, flexibility and understanding as we manage through this difficult situation to do the City's business.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Robert Taylor, Chief Deputy City Attorney

Item No. 416 was pulled for discussion and on a Y-4 roll call, the balance of the Consent Agenda was adopted.

TIMES CERTAIN

412 **TIME CERTAIN: 9:30 AM** – Proclaim the City of Portland a place that does not tolerate xenophobia by condemning the rise in hate crimes, attacks, and attitudes against Asian American and Asian Pacific Islander Communities due to the racist manipulation and polarization of the COVID-19 crisis (Proclamation introduced by Mayor Wheeler and Commissioner Eudaly) 45 minutes requested for items 412-413

**Rescheduled to
date to be
determined**

413 Accept report of the New Portlanders Policy Commission COVID-19 (Report introduced by Commissioner Eudaly)

**Rescheduled to
date to be
determined**

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| <p>414 TIME CERTAIN: 10:30 AM – Extend final inspection deadline for qualifying for a system development charge exemption for certain accessory dwelling units from June 30, 2020 to September 30, 2020 and establish options if that deadline is missed (Resolution introduced by Mayor Wheeler) 30 minutes requested (Y-4)</p> | <p>37488</p> |
| <p>CONSENT AGENDA – NO DISCUSSION Mayor Ted Wheeler Bureau of Development Services</p> | |
| <p>415 Reappoint Greg Douglass, Milo Coy, and John Karasaki to the Mechanical Code Board of Appeal for terms to expire May 23, 2023 (Report) (Y-4)</p> | <p>CONFIRMED</p> |
| <p>City Attorney</p> | |
| <p>416 Authorize City Attorney to file litigation on behalf of the City as may be required to protect its legal interests regarding the Streetcar crash on May 24, 2018 (Resolution) (Y-4)</p> | <p>37489</p> |
| <p>Commissioner Chloe Eudaly Bureau of Transportation</p> | |
| <p>417 Authorize an Intergovernmental Agreement with Metro to support analysis and coordination as part of the Regional Congestion Pricing Study and authorize transfer of \$50,000 to support technical analysis activities (Ordinance)</p> | <p>PASSED TO SECOND READING JUNE 10, 2020 AT 9:30 AM</p> |
| <p>REGULAR AGENDA Mayor Ted Wheeler</p> | |
| <p>418 Appoint Sam Rodriguez as an alternate to the Building Code Board of Appeal for a term to expire June 2, 2023 (Report) 10 minutes requested Motion to accept the report: Moved by Hardesty and seconded by Fritz. (Y-4)</p> | <p>CONFIRMED</p> |
| <p>419 Appoint Mary Sipe and reappoint Michael Wallace to the Noise Review Board for terms to expire June 1, 2023 (Report) 15 minutes requested Motion to accept the report: Moved by Hardesty and seconded by Eudaly. (Y-4)</p> | <p>CONFIRMED</p> |
| <p>Bureau of Environmental Services</p> | |
| <p>*420 Authorize a competitive solicitation and contract with the lowest responsible bidder and provide payment for construction of the Downtown Old Town Urgent Sewer Pipe Rehabilitation Project, No. E11212, for \$2,687,510 (Ordinance; amend Ordinance No. 189908) 10 minutes requested (Y-4)</p> | <p>189984</p> |

| | | |
|---|---|--|
| Office of Management and Finance | | |
| 421 | <p>Accept bid of Moore Excavation, Inc., for the Hillsdale Crest Rainfall Derived II Project for \$4,072,044 (Procurement Report - Bid No. 00001420) 10 minutes requested</p> <p>Motion to accept the report: Moved by Hardesty and seconded by Eudaly.</p> <p>(Y-3; N-1 Hardesty)</p> | ACCEPTED PREPARE CONTRACT |
| 422 | <p>Accept bid of Moore Excavation, Inc. for the NW Thurman St Sewer Reconstruction Project for \$4,171,393 (Procurement Report - Bid No. 00001422) 10 minutes requested</p> <p>Motion to accept the report: Moved by Hardesty and seconded by Eudaly.</p> <p>(Y-3; N-1 Hardesty)</p> | ACCEPTED PREPARE CONTRACT |
| 423 | <p>Accept bid of Westech Construction Inc., for the SW Naito Parkway: SW Salmon St to I-405 Improvement Project for \$8,648,803 (Procurement Report - Bid No. 00001430) 10 minutes requested</p> <p>Motion to accept the report: Moved by Hardesty and seconded by Fritz.</p> <p>(Y-4)</p> | ACCEPTED PREPARE CONTRACT |
| 424 | <p>Accept bid of Goodfellow Bros. LLC., for the Road 10 Mile Posts 6.2 to 8.2 Improvements Project for \$2,773,570 (Procurement Report - Bid No. 00001451) 10 minutes requested</p> <p>Motion to accept the report: Moved by Hardesty and seconded by Eudaly.</p> <p>(Y-3; N-1 Hardesty)</p> | ACCEPTED PREPARE CONTRACT |
| 425 | <p>Accept bid of James W. Fowler Co. for the Downtown Old Town Urgent Sewer Pipe Rehabilitation Project for \$2,687,510 (Procurement Report – Bid No. 00001460) 10 minutes requested</p> <p>Motion to accept the report: Moved by Hardesty and seconded by Fritz.</p> <p>(Y-4)</p> | ACCEPTED PREPARE CONTRACT |
| *426 | <p>Amend loan repayment schedules of interfund loans from Portland Parks & Recreation System Development Charge Fund to Portland International Raceway Fund and to Pittock Parking Lot Capital Project (Ordinance) 10 minutes requested</p> <p>(Y-4)</p> | 189985 |
| Commissioner Chloe Eudaly | | |
| Bureau of Transportation | | |
| 427 | <p>Accept a grant in the amount of \$1,957,230 from the Oregon Department of Transportation and authorize Intergovernmental Agreement for the NE 12th Ave over I-84 & Union Pacific Railroad Bridge project (Second Reading Agenda 408)</p> <p>(Y-4)</p> | 189986 |
| Commissioner Amanda Fritz | | |
| Water Bureau | | |
| *428 | <p>Authorize a one-time COVID-19 Small Business Utility Relief Program up to \$1 million and an Intergovernmental Agreement with Prosper Portland for an amount up to \$100,000 to administer the program (Ordinance) 15 minutes requested</p> <p>(Y-4)</p> | 189987 |

| FOUR FIFTHS AGENDA | |
|--|---------------|
| Mayor Ted Wheeler and Commissioners Eudaly, Fritz and Hardesty | |
| Office of Management and Finance | |
| *428-1 Authorize a Letter of Agreement between the City and District Council of Trade Unions to temporarily extend the termination date of the existing collective bargaining agreement and to help address the economic impact of COVID-19 (Ordinance) 10 minutes requested (Y-4) | 189988 |
| *428-2 Authorize a Letter of Agreement between the City and Laborers' International Union of North America Local 483 to address the economic impact of COVID-19 (Ordinance) 10 minutes requested (Y-4) | 189989 |
| *428-3 Authorize a Letter of Agreement between the City and Professional & Technical Employees, Local 17 to address the economic impact of COVID-19 (Ordinance) 10 minutes requested (Y-4) | 189990 |

At 12:18 p.m., Council recessed.

June 3, 2020

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **3RD DAY OF JUNE, 2020** AT 2:30 P.M.

THOSE PRESENT BY VIDEO AND TELECONFERENCE: Mayor Wheeler, Presiding; Commissioners Eudaly, Fritz and Hardesty, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Lauren King, Deputy City Attorney

429 **TIME CERTAIN: 2:30 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 213; Ordinance introduced by Mayor Wheeler; amend Code Title 33 and Portland Comprehensive Plan and Zoning Maps) 2.5 hours requested

Motion to move the Residential Infill Project’s amendments package: Moved by Hardesty and seconded by Eudaly. Vote not called.

The written record will remain open until June 11, 2020 at 8:00 p.m.

**Continued to
June 11, 2020
at 2:40 p.m.
Time Certain**

At 4:55 p.m., Council adjourned.

THURSDAY, 2:00 PM JUNE 4, 2020

**DUE TO LACK OF AGENDA THERE
WAS NO THURSDAY 2:00 PM MEETING**

MARY HULL CABALLERO
Auditor of the City of Portland

Karla
Moore-Love

Digitally signed by
Karla Moore-Love
Date: 2020.08.25
17:27:53 -07'00'

By Karla Moore-Love
Clerk of the Council

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

June 3, 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.

JUNE 3, 2020 9:30 AM

Wheeler: Karla, please call the roll. [roll taken]

Wheeler: Under Portland city code and state law, the city council is holding this meeting electronically. All members of council are attending remotely by phone, and the city has made several avenues available to the public to listen to the audio broadcast of this meeting. The public can also provide written testimony to council by emailing the council clerk. The council is taking these steps as a result of the covid-19 pandemic and the need to limit in-person contact and to promote physical distancing. The pandemic is an emergency that threatens the public, health, safety, and welfare which requires us to meet remotely by electronic communication. Thank you all for your patience, flexibility, and understanding as we manage through this difficult situation to do the city's business. We will now hear from legal counsel on the rules of order and decorum.

Robert Taylor, Chief Deputy City Attorney: To participate in council meetings you may sign up in advance for communications to briefly speak about any subject. You may also sign up for public testimony on resolutions or the first reading of ordinances. The published council agenda is at Portlandoregon.gov/auditor, and contains information about how and when you may sign up for testimony while the council is holding electronic meetings. Your testimony should address the matter being considered at the time. When testifying, please state your name for the record. Your address is not necessary. Please disclose if you are a lobbyist. If you are representing an organization, please identify it. The presiding officer determines the length of testimony. Individuals generally have three minutes to testify unless otherwise stated. When your time is up, the presiding officer will ask you to conclude. Disruptive conduct such as shouting, refusing to conclude your testimony when your time is up, or interrupting other's testimony or council deliberations will not be allowed. If there are disruptions, a warning will be given further disruption may result in the person being placed on hold or ejected from the remainder of the electronic meeting. Please be aware that all council meetings are recorded. Thank you.

Wheeler: Thank you, colleagues. It's my understanding that at the request of the new Portlanders' policy commission, they would like to reschedule the proclamation and the report that were scheduled for the 9:30 time certain to be responsive to community needs and the issues that need to be highlighted at this moment. Before we begin our regular agenda this morning, I would like to take time for my colleagues and I to reflect briefly on the moment in which we find ourselves. I will keep my remarks brief as I want to leave this space for my colleagues. For the last five nights, thousands of people have come together to grieve, to show solidarity, and to demand accountability and justice for police brutality following the murder of George Floyd. The brutal murder of George Floyd laid bare, a harsh reality. Racism continues to rob our black communities of safety, of health, and of prosperity. Too often, the very institutions that are supposed to protect and serve our community have instead failed the people of color, specifically, our black community. Mr. Floyd's murder announced that reality so loudly, so unconscionably. They are tired. They are hurt. They are grieving. Over the past week, I have listened to the community leaders. I have met with organizers of demonstrations. And I have been in the difficult but necessary conversations to focus on what comes next. I will say it again, until I reach every single Portlander. Keep holding us accountable. I want to be held accountable. I want you to

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know that I will continue to hold myself accountable as your mayor, and I know that my colleagues feel exactly the same way. I am your ally. I believe in justice and reform. I believe in our peaceful demonstrators and their calls for reform. This is all of our responsibility. Thank you. And my colleagues, I would like to reflect on the moment now or frankly later in the meeting. Whatever is your preference.

Hardesty: So mayor, I would love to see in my other colleagues want to make a statement. I want to make a statement, but I want to give the space first.

Wheeler: Thank you, commissioner. Commissioner Fritz, good morning.

Fritz: Good morning, everybody. Commissioner hardesty, I appreciate that statement. You have been doing such a great job of leadership with the mayor, and I feel a bit awkward being a white woman being asked to be speaking before my black colleague. So I will just say that I am so grateful to the work that you and mayor wheeler have been doing. The anguish of our community is longstanding. The anguish of black Portlanders has been in the forefront, and justice has been denied for so long, and if my staff and I are overwhelmed by the outpouring of support, and unable to respond to everybody who is writing in and calling so we appreciate that, and I will have a statement on my website later today. Thank you.

Eudaly: I will try to keep this brief. I went to bed in tears watching police fire gas canisters as they were rolling down the streets into random crowds of protesters. I woke up horrified by images that were shared with me this morning. My first experience of a protest was 30 years ago when I was 20 years old, and I watched Portland police use excessive force against protesters. It shook the foundation of what I thought it meant to be an American to see the police violating protesters' constitutional rights and harming their bodies and wrongfully arresting them. And that protest led to judgments against the police, so this is not my personal opinion. This is what happened. It was terrifying. I was undeterred. I am so disturbed by what we are telling these youth. 10,000 people came out, mostly youth, with our actions, through the police, and with our inactions on police violence and unaccountability. I spend the last 30 years as an activist and an organizer and an advocate, not specifically on police reform, but I get -- I felt powerless. You feel powerless against the police. No matter how righteous your cause is. And no matter how closely you are obeying the law. You can be attacked. Injured. And killed. Almost 30 years later, I joined the city council. City commissioner is the second most political position in the city. I still feel powerless against the police. As soon as my team got to city hall, we began conversations with community, with advocacy organizations and with the police, themselves, to determine what we could do because we were in the middle of intense protesting following the November 2016 election. Time and time again, no matter how reasonable the request, we were told that it could not be done. That has to be in the contract. That's a directive. We got nowhere with those conversations. We are not going to see an end to this until we get somewhere. These protesters want action, and we are not giving it to them. So you know, I don't want to be cynical about police. I know that there are many good officers in the force. I saw those images of people of officers taking the knee. If you are not open to change, if you are not calling out misconduct, if you are not standing with us against racism, don't take the knee. It is a dis-service and an insult to every person who has died from police violence. And to the people that have suffered real repercussions for taking the knee. The Geneva convention banned the use of tear gas. I think that we should, too. I am absolutely horrified by what I saw last night. It is sadistic to be using tear gas in the middle of a public health crisis. It's attacking people's respiratory systems. I am really worried about the health impacts that these protests might be having. What I see out there is beautiful. It's an uprising, and it's a time for reckoning, and we have got to do something now.

Wheeler: Thank you, commissioner eudaly. Commissioner hardesty.

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Hardesty: Thank you, mayor. And thank you, colleagues. Quanice Hayes, Keaton Otis, Aaron Campbell, Kendra James -- we don't have enough time for me to go through all of the names of people who have died at the hands of the state and Portland. I want to remind people that this protest isn't about what happened anywhere else. It's about what happens in Portland. It's about the relationships that Portlanders have with people who are sworn to protect and serve them. I want the community to know that I see you. The most beautiful sight I had ever seen was the burnside bridge last night. What we know over the last five days is that there are people that are standing up for justice, they are demanding it. They are requiring more of their elected leaders. But then, as has happened every night since the protest has started, there is a small group of people who are intent on doing damage to our city, to our values. They are attempting to be disrupters to the real issue that Portlanders are confirming. I share commissioner eudaly's concern about we are in the midst of a pandemic. We know that it causes respiratory distress. We know that as we see more and more people showing up to protest, those people are putting their health at risk, and that risk is going to be exacerbated by tear gas and other chemical elements. We have an obligation to find out what the impact of those chemical weapons are on protesters, especially at the height of a pandemic. I will be moving forward legislation to take real action now. Before we pass our budget. I will be asking you, my colleagues, to join me in removing some of what we know are the most racially, unequal systems that we have within the Portland police bureau. I will be asking you to join me in doing away with the gun violence reduction team. I will be asking you to join me in doing away with school resource officers. I will be asking you to join me in doing away with the transit police. I am also going to ask you to join me in making sure that we provide training to Portland police officers, to make sure that everyone who encounters a police officer does not have to be in fear that they won't make it home that night to their families. This is an epidemic that has impacted this community, and the whole years I lived here. This is not new, and so for people who are shocked that this is now happening, this has been the life of african-americans and the united states since we arrived. I am going to ask you, colleagues, to look into your souls and join me in making sure that we can send a strong message to the community that we hear them and that we believe that everyone deserves to be treated with respect and dignity in our city, and I want you to publicly affirm that you will work with me to make sure that we can remove the fear, the fear that police officers have of black bodies, and the fear that black bodies have of police. We have an obligation as the leadership in the city to make sure that the community knows that we are hearing them loud and clear, and we are not going to put together a task force and work groups and all the other things that we do to delay action, but we are going to take action because the community has told us over and over again that these are the changes that they want. They want these changes now. Thank you all. Mayor wheeler, it has been a pleasure to work with you through some of the most trying times that we have had here at city hall. I want you to know I am I am committed to continuing to work with you side-by-side to make sure that everyone in our community is safe and feels like if they call 9-1-1, they can be assured that whoever arrives will not treat them, based on the color of their skin, but will treat them based on the fact that they are human in our community, and they deserve whatever resources we have. Thank you all. I really appreciate you, mayor, giving us the time because there is no way that we could have started a city council meeting today without addressing what's been happening in our community. So I thank you all, colleagues.

Wheeler: Thank you, commissioner hardesty. Thank you, commissioner eudaly, thank you, commissioner Fritz. Colleagues, we are going to read the first two items that have been withdrawn. Karla, please read 412 and 413.

ITEM 412

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Moore-Love: Item 412

ITEM 413

Moore-Love: Item 413

Wheeler: Thank you, Karla. Both those items have been withdrawn for the time being. Have any items been pulled off of the consent agenda?

Moore-Love: Yes. We have had a request for 416.

Wheeler: Very good. We will do that at the end of the regular agenda. And we will now move to --

Fritz: Mayor.

Wheeler: Commissioner Fritz.

Fritz: Just before we move to take the roll on consent, I just wanted to thank the new Portland policy commission and the asian pacific islander community for their sensitivity in wanting to reschedule the items that we just heard read, so thank you to the community members showing support and solidarity.

Wheeler: Thank you, commissioner Fritz. Karla, please call the roll on the remainder of the consent agenda.

[Roll Taken]

Hardesty: Aye.

Eudaly: Sorry. Mayor, I thought that you were handing that off to me because that was an item that I was bringing, so --

Wheeler: I am sorry, commissioner eudaly, why don't you go ahead.

Eudaly: I will just say I plan to introduce these items in collaboration with new Portlanders, policy commission, one as a proclamation condemning the rise and hate that asian pacific islander Portlanders have experienced during covid, and the other was a special covid report from the commission on the need they are seeing for immigrant and refugee, and immigrant and refugee communities. The commission has opted to postpone their items in light of local and national civil unrest but focused all of this on the hate and oppression experienced by black americans. I know that the commission is in solidarity with black Portlanders, and I am looking forward to bringing this proclamation and the report forward when the time -- at a more appropriate time.

Wheeler: Thank you, commissioner eudaly. Karla, please continue the roll on the consent agenda.

Eudaly: And aye.

Fritz: Aye.

Wheeler: Aye. The consent agenda is adopted. We are going to move to the regular agenda item, no. 418.

ITEM 418

Moore-Love: Item 418

Wheeler: Very good, and I can't see who is here to present on 418.

Hardesty: Actually, sam is here.

Wheeler: I see Sam Rodriquez, you are up. Thank you, sir.

Sam Rodriquez: --

Wheeler: Sam, are you muted? I can't hear you. I still can't hear you. That's weird, I show you unmuted. Sam, can you do us a favor? We will move onto 419, and why don't you log out and log back in and see if that works.

Hardesty: Mayor, do you see Terry whitehill is here to speak --

Wheeler: Oh, good. Can you cover for sam? He's got some audio problems.

Terry Whitehill, Manager for the Bureau of Development Services: I can. You know with -- I worked with sam for a lot of years. He's, in the past, been on the board. He's is a great addition to it. I have nothing were you great things to say about sam. He is really good at trying to find alternatives to make things work. I know that he really enjoys being

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on the board, and has been in the past been a great contributor to it, has been off for a while, and now we are bringing him back on again. So yeah. Great addition.

Wheeler: Thank you, terry. Sam, the good news is even though you cannot be heard, terry said nice things about you. I wondered how it was going to be if he said bad things about you and you were not able to respond. [laughter] it sounds like we have an overwhelming endorsement, colleagues. Any questions that you would ask of sam? I think that he would have a tough time answering those questions. And with that, and unless anyone has any strong objection, I would encourage a motion to accept the report.

Hardesty: So moved, mayor.

Fritz: Second.

Wheeler: We have a motion from commissioner hardesty and a second from commissioner Fritz. Thank you both. Sam, I am really sorry for the audio issue. We are trying to muddle through this age of new technology. Any further discussion on this item? Karla, please call the roll.

Hardesty: Thank you very much for pinch-hitting. I appreciate you being here. I vote aye.

Eudaly: Aye.

Fritz: Thank you, sam -- sam, for your willingness to serve, it is a big-time commitment, aye.

Wheeler: I would like to extend my thanks to sam. This is technical, the work that this particular board of appeals does. It requires people to step forward with a great deal of knowledge, and we are grateful to have you, sam. Thank you for stepping forward again. Terry, thank you for filling in, as well. I vote aye. The appointment is approved. The report is accepted. Thank you. Thank you both. Karla, 419, please.

ITEM 419

Moore-Love: 419

Wheeler: Very good. Scroll down here. I am not sure who is presenting on 419. I do not see.

Katherine Couch, Noise Control Assistant Program Specialist, Office of Community & Civic Life: Hi. This is katherine couch. That would be me.

Wheeler: Thank you, katherine.

Couch: Sure. So yes, this is michael wallace's second term. He's retired. Let's see, i'm reading his -- he's the past president of the neighborhood association, and he wants to reduce the noise that too often characterizes city life in Portland, and for our new board appointment, we have mary sipe who is incredibly familiar with most everything that happens on the noise review, so the learning curve will be very short. This will be her first term. And she has a lot -- I think that she might be here to talk herself a bit. Yeah, there she is.

Wheeler: Mary, you are on.

Mary Sipe: Hi. I am here. This is really an exciting day for me. It's funny. I attended my very first noise right here board meeting in may of 2014, and little did I know that six years later, I would be sitting on that board. As most of you know, I have done a lot of work over the last six years with noise issues, and I really advocated for some changes in our noise code, and I have also established some really great relationships with the noise control program staff and also with the noise review board members, so I am really, really excited about this opportunity to join and to work together to reinforce our noise code and to help protect our citizens from the health hazards of excessive noise in our community while finding a balance with continuing to make improvements and do new developments and things like that. So I am really excited, and that is not saying much more.

Wheeler: We are so appreciative of your engagement on this. Thank you. Colleagues, any thoughts for mary or any questions that you want to raise at this particular time? If not, I will entertain a motion and a second.

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Hardesty: So moved.

Eudaly: Second.

Wheeler: Commissioner hardesty moves, commissioner eudaly seconds. Approved. Karla, please call the roll.

[Roll Taken]

Hardesty: Aye.

Eudaly: I want to thank michael wallace and mary sipe for their willingness to serve on the noise review board. Michael, thank you for your ongoing commitment to the board. I am happy to approve this for another term. I am also happy to approve mary, who will be taking a long vacant position. It's critical the board increase the membership, and I am glad to see that happen with the appointment and reappointment of two residents with the history of interest, expertise, and volunteerism in working with noise. I also want to thank katherine couch and kenya williams and civic life for their work with the board. I vote aye.

Fritz: Well, thank you to the nominees for being willing to serve. The noise review board meetings that I went to were always, always had a lot of controversy, so this is not an easy assignment, and it requires a lot of thought and mary has been involved for six years as a community advocate, so she will be one of the decision-makers, and I wish both of them and the rest of the board all the best as they help the city council to make the right decisions regarding noise. Aye.

Wheeler: Thank you, mary and michael, and I will just echo the sentiment of my colleagues. As far as community issues go, noise is a very heated one. There is a lot of construction going on in the city. There is a lot of noise issues related to that. It's very personal for people because typically it involves their homes, the livability of their homes, and the ability to get a good night sleep and whatnot, and so these are really, really important issues, but as the commissioners have indicated, they can also be complex issues to navigate. I appreciate that we have two super engaged smart people willing to step forward and continue this effort. In the case of michael or the appointed in the case of mary. I am happy to vote aye. Thank you both for their service. The appointments are approved. And the report is accepted. Thank you. Next up, Karla, 420 and 425, could we read together, please.

ITEM 420 and ITEM 425

Moore-Love: Item 420 and Item 425

Wheeler: Colleagues, I would like to introduce items 420 and 425 together, obviously. The downtown old town urgent sewer pipeline rehabilitation project came before the city council in april, and it was approved. The project will improve sewer pipes that are upwards of between 100 and 150 years old, and in obvious and serious risk of failure. The authorizing ordinance is back at council due to a scrivener's error in the original ordinance. There was language that needed to be included that was not, and BES staff are available to answer any questions. If you have any questions on that, and with regard to the 425, specifically. This is a procurement report that authorizes a contract with james fowler company with the bureau of environmental services projects through april for the purpose that I just described. This is a project that is going to improve the liability, and reduce the risk of pipe breakages and sewer leakage which will in turn obviously protect the public's health, people's property and environment. It is my understanding the project is scheduled to begin midsummer, july, and will be completed by the end of the year. And we have our chief procurement officer, lester Spitler her on the line to give us a brief presentation on the procurement.

Lester Spitler, Chief Procurement Officer, Office of Management and Finance: Thank you, mayor, good morning, lester spitler, the chief procurement officer. The city council approved ordinance number 189908 on april 1st, 2020, the april was 286,000 and the confidence level was high. Procurement services issued the invitation to bid. On april 14

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with a due date of may 5, four bids received, james w. Fowler company was the low bidder and they recommended awardee. The bid came in at 2,687,510, which is a little more than 18% under the estimate, so we always appreciate when the bids come in that far under the estimate. The standard 20% aspirational goal for the state certified subcontractor utilization applied to this solicitation and the following is the breakdown of the utilization that fowler submitted and committed to at this point. And they are intending on self-performing, 57.5% of the work. They have identified 2.47%, but they intend to subcontract with the state certified subcontractors in the area of concrete cutting, flagging, and –

Hardesty: Excuse me, but you cut out just as you gave the personal. When you started that second sentence.

Spitler: Okay, I will cut the video then in case that's the issue. I will just go to audio.

Wheeler: That would be helpful, thanks.

Spitler: Sure. So fowler intends to self-perform 57.5% of the work they identified. 42.5% that they intend to subcontract with state certified subcommittees in the areas of concrete cutting, flagging and cast and place pipe work. Commissioner hardesty, you had asked to provide previous project history with each of the contractors, and so we have -- the city had a project in 2018 with james w. Fowler company. And that was worth a little over 4 million, and on that project, they achieved a total of 25.5% state certified subcontract utilization, and they also met the apprenticeship goal on that project. They were a little less than the goal for minority journeymen and apprentices and less on the female journeyman and apprentices, so I wanted to provide that information. It seems fowler is located in dallas, Oregon, they are not a state certified contractor. They have a current city of Portland business tax registration and are in full compliance with all the contract requirements. Bes has the funds budgeted for the project in their fy-2021 budget. I am happy to answer any questions about the procurement process, and I know that the BES project manager is in attendance. If there are no questions, we would recommend you accept the report and authorize execution of the contract.

Wheeler: Commissioner hardesty.

Hardesty: Thank you, mayor. Thank you, lester. My question his is that you said that they had a contract in 2018 for 4 million with the 25.5% utilization rate. What can you tell me that's different about the spread of utilization? You did not give me the specific demographic breakdown. What can you tell me about the difference between who the subcontractors were in 2018 and who they will be in 2020?

Spitler: Sure. So the project that they had in 2018, the 25.5% utilization is broken down between disadvantaged business enterprises. They have 891,000 go to DBEs. And they had 2,800 to emerging small business and 211,000 to a woman owned business enterprise for that project. For this project, the concrete cutting in the amount of 12,000 is going to brothers concrete.

Hardesty: Did you say 211,000? What does that mean? Say that again?

Hardesty: 2,000 or 200,000?

Spitler: So for that 2018 project, they used an emerging small business in the amount of \$2,800. A small amount for that project. That was emerging small business utilization for the women owned business utilization, it was 211,000.

Hardesty: Okay. Thank you.

Spitler: For DBEs, it was just under 900,000. It was 890,000 that made up the 25.5% utilization on that project.

Hardesty: Is it your belief that this contractor is expanding their reach and reaching out to MWESB firms?

Spitler: So fowler also happens to have a contract currently being overseen by the community equity and inclusion committee. It's a joint PBOT, BES and water bureau project, the capitol highway project. We just had a meeting yesterday, and they are at the

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point where they are planning to go out and engage subcontractors for the work. And you know, I think that we are pushing them harder than they pushed in the past, than they have done in the past, and I think that, you know, a lot of contractors are just being -- we are asking them to do more than the status quo, so it's great because we have on the committee, we have represented -- lots of representation, so those organizations are actively offering to help fowler get better participation, so I am excited to see what they can come back with at our july meeting. I would say that so far, they are showing a good faith effort. They are showing that they are serious. They are making calls. They are engaging with those certified subs, and I think that, you know, they are doing more than just emailing. They are doing more than just the bare minimum.

Hardesty: Are you collecting that data now? Are you asking them to collect that data? I remember our last conversation you were not checking that data.

Spitler: So for the outreach logs?

Hardesty: Yes, for the quote/unquote good faith effort.

Spitler: Yeah. So under a low-bid situation, if they meet the goal, historically, we have not asked for the outreach logs, but we are starting to ask for that. I believe there is potential language that maybe proposed for a later item that would make that official, but we are asking for that. But in those alternative delivery projects that are overseen by the CEIC, they are submitting all their outreach, and they are submitting their plan ahead of time. And the committee is giving them feedback on that plan. And they are identifying contractors in their memberships that you know, have capacity and they are being intentional about hey, call so and so, and I believe that they have the capacity, and this is right up their alley. So we will have all that data after that process is complete, and when we come to council to ask council to authorize the construction contract for that project, we will do a very detailed presentation about everything that fowler has done to obtain the highest amount of percentage on the project. That's a couple of months out, though, at this point.

Hardesty: Thank you. My last question is what was the error that we are correcting today?

Spitler: Mayor Wheeler, do you want to propose that or should I is up rise that?

Wheeler: I will give you the big picture, and Lester, you can give the small. There was a paragraph of inclusive language that it's required for the contracts that was accidentally excluded. Lester, maybe you can be more specific.

Spitler: Commissioner hardesty, are you asking about the error on the authorizing ordinance or the revised language that we are going to propose for later on?

Wheeler: On the authorizing ordinance.

Spitler: Okay. So the error on the authorizing ordinance is it did not specifically allow for execution of a contract upon acceptance of achieved procurement officer report. So there is standard language that goes in the authorizing ordinances and sometimes there is a legacy template that gets resurrected that does not have the right language so from time to time, we have to come back and amend those ordinances to include that very specific language.

Hardesty: Thank you.

Wheeler: Very good. Colleagues, any further questions? Karla, is there any public testimony on either item 420 or item 425?

Moore-Love: No one signed up for either of those.

Wheeler: Very good. So item 420 is a first reading of a non -- sorry, that's an emergency ordinance. Can you call the roll on 420.

[Roll Taken on Item 420]

Hardesty: Aye.

Eudaly: Aye.

Fritz: Aye.

Wheeler: Aye. The ordinance is adopted.

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Wheeler: Item 425 is a report. I will accept a motion and a second.

Hardesty: So moved.

Fritz: Second.

Wheeler: I have a motion from commissioner hardesty, a second from commissioner Fritz. Any further discussion on the report? Karla, please call the roll.

[Roll Taken on Item 425]

Hardesty: Aye.

Eudaly: Aye.

Fritz: Aye.

Wheeler: Aye. The report is accepted. We will go to item 421, please.

ITEM 421

Moore-Love: Item 421

Wheeler: Colleagues, this procurement report is for the bureau of environmental services for a project that will cover 18,000 feet of sewer mains, and 172 public laterals preventing sewer backups in many homes and businesses. This report was originally scheduled for the april 29th council agenda, but I referred it back to my office due to concerns about how more construction had met the 20% aspirational goals of the subcontractor equity program. The chief procurement officer lester spitler is here to present the report, and I have a few more comments I would like to make before we go to public testimony. Staff from the bureau of environmental services are also here to answer any questions that are specific to the project. Lester?

Spitler: Thank you, mayor. Again, for the record, lester spitler, the chief procurement officer, the city council approved the authorization of Ordinance 199821 on january, 2020. The estimate was 5,178,885, the confidence level was high. Procurement services issued the invitation to bid on february 17, 2020. There was a mandatory prebid conference, and eight firms attended. Bids were due on march 19, we received the lowest responsive bid, moore excavaton, inc. Submitted the lowest bid in the amount of 4,072,044, which is about 27% below the estimate. The city's 20% aspirational goal for state certified subcontractor utilization applied to this solicitation and the following was a breakdown of the utilization that moore submitted. They intend to self perform 51.5% of the work, and they have identified 48.5% to -- that they intend to subcontract to state certified subcontractors in the areas of concrete cutting, cast and play pipe, and pipelining, pest control, and manhole rehabilitation. The -- I want to talk about moore's past performance, so since 2016 they have had four projects with the city of Portland. Ranging from 590,000 up to about 6.5 million. The overall achievement on the project for one project, for --

Hardesty: Lester, I would like the individual, the details. They have had four projects.

Spitler: Yes.

Hardesty: Can you give me the demographics breakdown for all four I would be greatly appreciative.

Spitler: Yes, I will do that. So for one project it was about 600,000. They had a dismal percentage utilization at the end of the project of 2%. That was performed by a woman owned business enterprise.

Hardesty: What year was this?

Spitler: That was 2016.

Hardesty: Thank you.

Spitler: They did achieve the 20% apprenticeship utilization rates. They achieved a 15% minority utilization and journeyman apprentices and a 6% female utilization in journeyman and apprentice or journey-person and apprentice, sorry. The next project was in 2016. 4.3 million. And they achieved a 26.5% utilization. That's broken down by disadvantaged business enterprises in the amount of 362,000 emerging small business in the amount of 49,000, and women owned business enterprise in the amount of 731,000.

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Hardesty: Women owned family business is a family member of the contractor?

Spitler: I am working off of a spreadsheet that we compiled. I can -- I don't have that information off the top of my head right now. I am sorry.

Hardesty: Thank you.

Spitler: The next project that they had in 2017 was 3.5 million, and they met that. They achieved a 42.15% utilization on that contract.

Hardesty: What type of utilization was that?

Spitler: I hid a bunch of columns because there was a lot of information on this spreadsheet. Fortunately it looks like that was a woman owned business enterprise, as well. I don't have the specifics. I can get back to you on that.

Hardesty: It's really important information. Thank you, lester.

Spitler: Okay.

Hardesty: The last of the four projects was in 2017. It closed in 2019. It was 6.5 million. They achieved a 10.7% utilization on the project, and that was through the use of disadvantaged business enterprises in the amount of about 600,000 emerging small business in the amount of 71,000, and minority business enterprise in the amount of 26,000.

Hardesty: So I am seeing a -- I am seeing a trend here. I see a trend that it does not appear that this particular contractor is expanding their knowledge of the subcontractors available in our community. So we are talking from 2016 to 2020. And we are talking over \$15 million in public resources. One of them was pretty small. The one that was at 2% of utilization. What is the kind of -- what is the kind of analysis that happens at the end of each of these contracts that encourage is contractors to do better.

Spitler: In the past we put together a post-graduation form that the project managers fill out and the compliance folks fill out. It has the end of the project utilization rates, and we started to give that to the prequalification board when contractors application comes up for prequalification, so that we're, we're taking that into consideration as we determine whether or not a contractor is responsible. So, you know, I think that we have had conversations at council about how do we look back historically at their, you know, how are they aligning with the city's goals. And I think having this past history allows us to do exactly that. And I will also say that we invited moore excavaton, inc. In for a meeting last fall, and derrick was in attendance, as well as jamal and marshall. I believe someone from commissioner Fritz's office. We told, you know, we told them that they needed to do more. The they did respond with a letter. They started to attend more certified subcontractor association groups and started to develop more relationships, but they could do more. I talked to them, you know, every so often, and we are asking what they are doing. And it's about the relationships because it's not just about, you know, emailing a bunch of firms and expecting them to get back to you, but about establishing the relationships, and even if a certified subcontractor, you know, isn't selected for a job, you know, reach back out to them afterwards and sort of help them understand where their bid either came in high or, you know, or wasn't competitive. We are not asking them to divulge confidential information but it's about the relationships, about the extra effort so when they reach out to that subcontractor the next time, they understand that moore wants them to work on the job, and that they know that they have a partner in a prime contractor, and not somebody that's, you know, just reaching out to meet a goal. So I think that that's a relationship that we are trying to work on, and I would say that you know, I think collectively between my staff and I we would say that we have seen more from them, but it took that meeting to get them to step up their game, so I certainly appreciate, you know, the leadership from your offices and having that meeting and follow-up and sending this that message, and we are - - trying to work with them to do more.

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Hardesty: My last question on this one because we are at the beginning of several of these kinds of contracts. I will rephrase the question. Maybe this is a Robert Taylor question. Is the city of Portland obligated when we get responses back that achieve a 2% utilization goal to fulfill that contract? I would see that as an unresponsive contract. So, I am wondering why we approve contracts with a 2% when we say our aspirational goal is 21. I don't know if that's a you question, let's -- or a Robert Taylor question.

Spitler: I can just jump in and say that historically, we measure responsiveness based on the good faith effort.

Hardesty: And if you are not tracking the good faith effort you would have no idea knowing whether or not that they made a good faith effort.

Spitler: Well, any time that he don't meet the percentage, we scrutinize their outreach efforts to make sure that they did meet the standard of a good faith effort.

Hardesty: So what did you learn in 2016 when they used 2% utilization.

Spitler: Well, I mean, since we presented that contract to council, we determined they met the good faith effort at the time. I would have to go back and look at the paperwork specifically to see how they met that effort, but.

Hardesty: I would love to know that, too. I would love to know how somebody has 2%, and we are told that they have met the good faith effort. I really need to know the answer to that question.

Spitler: Okay. I will just say that our good faith effort requires contractors not just to reach out. It requires them to get responses. Which includes emails back, preferably, because that's what we can verify, but you know, if the prime contractor can document a phone call conversation or a one-on-one meeting that they had with a subcontractor, that works, too. But if we don't see that they got three responses in each subcontract that they reach out for, we don't consider that meeting the good faith effort.

Hardesty: Did you verify? Did you call those subcontractors and ask them if they got a call from a contractor that has put them down as a good faith effort?

Spitler: Yeah, in some cases we do. We don't have the capacity to do that with everyone, but in some cases we do.

Hardesty: I did say that was my last question, but there was three questions ago. Thank you very much.

Spitler: Sure.

Wheeler: Commissioner hardesty, I have learned over the years, when I say this is my last question, or this is the last thing I am going to say, it's like a very powerful self jinxes potion. It never turns out that way.

Hardesty: I share that, thank you.

Wheeler: Colleagues, does anyone at the moment have any further questions for lester on this issue? If not, we will go to public testimony. Karla, do you have people signed up for public testimony on this item?

Moore-Love: This is a report.

Wheeler: Oh, good point. My bad, sorry. So I do have -- well, I will leave my comments during the motion, a motion and second, please.

Wheeler: So moved.

Eudaly: Second.

Wheeler: Thank you. Commissioner hardesty moves. Commissioner eudaly seconds. Karla, please call the roll on the report.

[Roll Taken]

Hardesty: This is not acceptable in my mind that we continue to have major contractors that I believe are using the system that we have put in place to make opportunity available for a wide range of community members to be able to reap the benefits of public contracting. As all my colleagues know from the day that I got here, I have asked for

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specifics about who is benefiting from public dollars and who is not benefiting from the public dollars. I am committed to making sure that as we move forward, we are expanding opportunities for community members to be able to access public contracts. I will expect that our purchasing department to not just take people's word for doing a good faith effort. I expect there will be written confirms that good faith efforts have, in fact, been taken and achieved. I will also expect purchasing to ensure that they are doing spot checks to ensure that we are getting accurate information. I am disappointed in any contractor who has had five years of feeding at the public trough, through the public contracting that they are not able to build deeper relationships in minority contracting communities and in women communities. If we have public contractors who are unwilling to do the work necessary to build those deep relationships, they should not be entitled to public dollars. Therefore, I will vote no on this contract. I vote no.

Eudaly: I want to thank Robert Taylor and the city attorney's office for briefing my team on council contributions for the procurement report. I share Commissioner Hardesty's frustration, and just want to add that we need to reform our procurement goals, and process if we are going to get any different results. I do understand that these projects vary from project to project and season to season, and it may legitimately be impossible to meet the goal, but like Commissioner Hardesty said, we are seeing contractors that are just consistently coming in under the goal over and over again regardless of the nature of the contract or the time of year. We need to be able to -- hi, Mayor.

Wheeler: Sorry. Strategizing.

Eudaly: We need to be able to better compel them to meet these goals but we also need to do work with building capacity in the community, and the Mayor still is laughing and his giant face is on the screen and distracting me from my comments so I am just going to vote reluctantly aye.

Fritz: I think we all agree that we want to achieve better numbers, and I think that we agree that we don't like some of the policies and regulations that we have in place right now. So the way to change that is to change the policies and the regulations, and the Mayor and I supported continuing to put money into that by not necessarily having enough money to do a disparity study but keeping the conversation going with the money that we -- that is in the budget next year, and Lester has repeatedly answered our questions, and expressed his commitment to improving the numbers, that's one of the reasons that he was hired, and I have confidence that he's able to do that. Again, you don't change the goalpost in the middle of a project, and it's not legal, so, and there already is a way to do a different process, and that's by doing the longer, more expensive construction management general contractor bidding process. But with low bid, there are rules as to what we can refuse and what we can -- we have to approve. And so, yeah, I was -- as Lester noted, I was very aware that Moore has not achieved our aspirational goal on many occasions and has been pushing them to do so, and they have started to make some improvement. So, I believe that we're sending a clear message to all our contractors that we expect them to do better. And in the meantime, this contract has approval, aye.

Wheeler: Well, first of all, I want to acknowledge when it comes to this technology, you would think that I would perfect this at some point. It sort of reminds me, my daughter and I have been playing a virtual mini golf game. We are in separate locations during the week. And she beats me every body time because she knows I don't know how to perfect the technology so I hit the ball backwards, and presiding over a virtual council session is no different, but at least time I am unmuted when I want to be, and so I apologize for that. This contract, as I mentioned up front, this is for the Bureau of Environmental Services. It's for critical infrastructure, about 18,500 feet of sewer infrastructure. It's at risk of failing. Obviously, we need to move forward with the project, and I support it. But, Commissioner Hardesty is not wrong on this issue, and I am hearing the same frustration from

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commissioner eudaly and commissioner Fritz. Companies who undertake the contract with the city of Portland are expected to undertake significant good faith efforts to meet our aspirational goals of the subcontractor equity program. This is not just a hurdle that we ask companies to meet. This is, actually, in a way critical to shared economic prosperity, which has been a goal for us for a long time. And these are public dollars that are being expended for public projects, and we demand a lot because the public expects a lot. And we should. There are changes that we're making that are positive. Changes we're making to the subcontractor equity program are necessary. And there is more that we need to do to fix the loopholes that currently exist. My colleagues and I all recognize that larger changes are going to be needed to the city's procurement policies and strategies to truly move towards equitable outcomes. And I want to first of all acknowledge the close collaboration of all the council offices and our staff. They have been working really hard with lester and lester's team, and lester, I want to thank you and your team to explore other policy and program options to help us meet our goals for increasing equity and contracting. I am also going to say this. I believe that there are some contractors, you know, who understand what the legal threshold is that they have to meet in order for the contract to be approvable. This is such a case. I am also going to be blunt. All of us sent staff members to moore excavaton, inc. For the purpose of trying to secure even aspirational or value-based commitments, and they thumbed their noses at our staff we are not happy about that. It shows lack of alignment of values. This is not just a business proposition. This is not just a contract. This is where the city council seeks to use public projects and public resources to, in a fair and equitable manner. And that's the whole point of having a procurement process. And so I am going to continue -- I will vote for this because we need the infrastructure project, but we cannot continue to have this conversation under these terms every time that the contract comes forward, so I am committing with my colleagues, we will close these loopholes, and we will find ways to make sure that we are holding our contractors accountable in the salmon manner, and to the same degree that the public is holding us accountable as a city council on these projects. So today the report passes. I think the public is hearing loudly and clearly the frustration on the part of the could you please to do better, and we are going to do better and we want to do better, and I am committed to it and my -- and my colleagues are, so thank you for that.

Wheeler: Next item is 422, please, Karla.

ITEM 422

Moore-Love: Item 422

Wheeler: This procurement report is for the bureau of environmental services project that will reconstruct repair and replace public sewer infrastructure in the willamette heights neighborhood of northwest Portland. These improvements will relieve basement sewer backups at 31 properties and increase the capacity of the 100-year-old sewer system to handle combined sewage and stormwater. The chief procurement officer lester spitler is here on this report, and I assume the issues will remain the same. Lester.

Spitler: Thank you, mayor Wheeler. Again for the record, Lester Spitler, the City's Chief Procurement Officer, City Council's Ordinance approved 189990, on december 11, 2019, at the time the estimate was 4,680,000 and the confidence level was high. Procurement Services issued to bid on february 26, 2020. We had a mandatory prebid conference and seven firms attended. Bids were due on march 19, 2020, and we received three. Moore excavaton is the apparent low bidder, as the record, they recommended awardee. Their bid came in at 4,171,393, which is almost 11% under the estimate. The city's 20% aspirational goal for state certified subcontractor utilization applied to this solicitation. And the following is the breakdown of utilization that moore -- they intend to self perform 78.81% of the work, they identified more than 20% of the work that they intend to subcontract with the state certified firm. There is a little less than 1% of the worker that

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they have identified non-certified subcontractors for. I am going to walk through the breakdown of the subcontractors they identified this work. The first is a flagging contractor. They are owned by a hispanic female. They are disadvantaged and minority owned and emerging small businesses enterprise. Brothers concrete and saw cutting, native american male firm, minority business enterprise. Cutter construction, they are a disadvantaged and a woman owned business enterprise, performing trucking on the contract. Agame construction, a dbe and esb, an asian pacific female owned doing the signage. Iron horse llc, is the disadvantaged woman owned business enterprise performing the cast in place sewer and storm drain work. Kodiak pacific, a woman owned business enterprise, performing the paving. Miller factors, woman owned business enterprise performing landscaping. And test solutions llc, emerging small business performing rodent control. And lastly, taylor transport, a won owned business enterprise performing trucking. In moore's original posted comes they were not able to identify a concrete subcontractor during the bidding time frame. They invited to bid and followed up via phone call with 12 co-bid state certified firms including women owned business, minor business enterprise and small businesses, the responses was -- seven didn't respond. One not bidding, one was too busy, one said the city of Portland is too hard to work for. One said they were undecided at the time. And one said that they were bidding but they decided not to. Subsequent to splitting their bid and the documentation, they followed up with one of the subcontractors because the quote that they got from is a non-certified subconcrete was what they thought was uncompetitive. So they were able to get in touch with one of the subcontractors, dnd concrete and utilities. They reached back out, dnd concrete is an emerging small business. They were able to work with them to get a quote that was within a reasonable amount. Their performance is not included in the 20.838%, but they do intend to use them so I wanted to mention that. I described moore's past performance on the previous item and I am happy to do that again. If there is any questions, I know the bes project team is in attendance and I am happy to answer any questions, as well.

Wheeler: Colleagues, any questions on this item? If not.

Hardesty: Mayor, I won't ask the same questions again because it is a consistent theme through the contracting that I have seen in front of the city council. I will just say that for the record that I am appreciative that you, mayor, have drawn a line in the sand and said that we are going to do better. I am committed to making sure that before this year is out, we will never have another contract in front of us that does not exceed our goals. The thank you.

Hardesty: Thank you, commissioner. Any other questions? I will entertain a motion and a second.

Hardesty: I will move.

Eudaly: Second.

Wheeler: Commissioner hardesty moves, commissioner eudaly seconds. Thanks both of you. Karla, please call the roll.

[Roll Taken]

Hardesty: No.

Eudaly: Aye.

Fritz: Well, according to the impact statement, the -- this does meet the goals at 20.38%, aye.

Wheeler: I am much happier about this one. I vote aye. The report is accepted. 423, please.

ITEM 423

Moore-Love: Item 423

Wheeler: This is a pbot project, and lester I will turn it over to you unless commissioner eudaly had any opening comments on this? Go ahead, lester.

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Spitler: Thank you, again, lester spitler for the record, the chief procurement officer.

Wheeler: And I am sorry to interrupt, could we keep the remarks a little briefer just because I want to be respectful to the 10:30 time certain.

Spitler: Of course, sure. The authorizing ordinance was approved last september. The engineer's estimate was a little under 9 million, and the confidence level was hard of hearing. We had the solicitation on february 26, bids due on april 16. And four bids were received. Westech construction submitted the bid 8,646,803.02 which is 2.3% under the estimate. They intend to self perform a little under 31% of the work. They have identified 12.5% to subcontract to state certified contractors, and 56.5% to non-certified subcontractors. I did -- I talked to westech construction yesterday, and the vice president of the company is on the line to answer any more questions but I did want to go into the good faith efforts, and I will try to make it brief. While they do not meet the goals they provided a call log with 13 scopes of work listed, back-up comes for outreach responses for all certified firms. They did receive three written responses and each of the 13 scopes of work. Based on the staff review, of the documentation and the bids they received, it was determined that they did meet the good faith effort. Additionally they have two first tier subs not certified that will be contracting with certified firms as second tier subcontractors, so in that work is 130,000 so that brings their unofficial participation up to 14% versus 12, so I do think that's note worthy each though doesn't officially count within the policy. I also wanted to add that westech construction in their outreach to find certified firms, they had identified a woman owned business enterprise in the paving scope of work, and they expected to get a quote from that be but when the due date came and went they did not get a bit or a quote. So they followed up with that contractor, and it just so happened that contractor switched to a new system and they -- the quotes they sent out got stuck and they did not get delivered. So had they received a quote from kodiak pacific construction to perform the paving work, they would have achieved the 20% goal, and I just thought that was, you know, that's one of those nuances that maybe happens from time to time but was noteworthy, I thought. Westech construction has not had a recent project with the city within the last three to five years. I know that they constructed the first phase of the naito so they put, you know, told me that they put their heart and soul in responding to this bid because they wanted to do both phases. As I said, their vice president is in attendance in case any questions come up, but we do recommend that you accept this report and authorize execution of the contract. Westech construction is not a certified contractor but they are in compliance with the city's contracting requirements.

Wheeler: Thank you, lester. Commissioner Fritz.

Fritz: Thank you. I would like to hear from the vice president of the company. I really appreciate you making the effort to be here today, and I presume you have heard some of the conversations so far. It would be helpful to hear what the challenges can be in meeting the shared goals.

Cless Woodward, Vice President, Westech Construction: Thank you, commissioner Fritz. It's a pleasure to be here. Some of the issues that we have in dealing with specifically this project, the naito parkway project is a difficult project to perform, and so one of the issues that we have, because the good faith effort relies on the co-bid system we need to go to the state website, and I feel that one of the issues that we are missing some mwesb participation from the Portland metro area because they don't have a co-bid number and they are not on the list. So when we go to reach out to some of these people, the scope is too big. Some of them don't know why they are on the list. But those are things that become difficult, and we offer to give them a set of plans, walk through the plans and stuff. So that's an issue that I think that we can improve on. I think that the ones that are -- there are people that are just confused, like I said, as to why they are on the list. We are limited to that list, and I think that that's a downfall. I know that there is other firms

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in the Portland area that we cannot reach out to. I do want to talk to the positives about this system, though. Some of the positives are because of this intricate project and how difficult it was to put together, I was actually doing outreach clear to Eugene and Medford, I think, one was even to Ashland. And I, actually, developed a relationship with two of the subcontractors that I reached out to, and the scope of work that they are not listed for. One was in pump stations, and was interesting, interested in finding a partner in the Portland area to, perhaps, do some work, and I just happened to have a private job that I needed help with, and that was a great, a great communication between that company and us. The other was for a structural concrete wall subcontractor. Wasn't listed in their forte, but again, I made contacts on this from people just by doing the significant outreach. So I think that there are positives that we can do on this. It is -- this system that we have does have limitations. I have been doing there for 22 years. I would be very happy to be involved in a workshop to help improve this system.

Fritz: Thank you very much. That's really helpful.

Wheeler: Commissioner Hardesty.

Hardesty: Thank you, Mayor. Thank you, Cless. I have a question for you. You said that you had a couple of subcontractor potentials who were not on the city's list. I would -- I don't know why the city would not actually -- if you are able to identify minority and women owned firms, that, whether they are on the city's list or not, I don't understand why the city would not allow you to utilize them.

Woodward: Thank you, Commissioner. According to the program that is set in place right now, in order to enter them on the good faith effort form, they need a co-bid number, which is a state number. So what the contractors do is we have to go to the website, and look up firms according to their co-bid number. We just happen to know, and off the top of my head I apologize, a bit nervous, I can't think of the name of the company, but we do know some MWBE firms who were on the list before and they decided to get off because it was too difficult for them, or they are just not on the list because they don't know how. I hope that answers your question.

Hardesty: Yes, it does, and I want to thank you for your offer to work with us because we will need major contractors who are as committed as the city is to ensure that we are providing equitable opportunity, and I just want you to know how much I appreciate your willingness to do that. I have, myself, questioned why the city only uses 25% of the contractors that actually exist. The state list is not a magic thing. It is just simply the people that went through the enormous paperwork to get the state certification. And I continue to remind my colleagues that it only helps white majority contractors. It does absolutely nothing for minority and women owned firms. So we have a lot of work to do before we can pat ourselves on the back about our equitable contracting, and Cless, you will be a great resource for us as we move forward, so thank you for being here again.

Wheeler: Thank you. Any further discussion on this item? Any questions on this item? Karla, I will entertain a motion and a second.

Hardesty: So moved.

Fritz: Second.

Wheeler: A motion from Commissioner Hardesty, second from Commissioner Fritz. Please call the roll, Karla.

[Roll Taken]

Hardesty: I hope that we have many more contractors, primary contractors in the city of Portland like Cless, than some of the other ones that I have been looking at lately. I know that there are majority contractors who are committed to the same equity goals that the city has, and any of them who are listening to this broadcast today, please contact us because we need you to be the ones helping us to fix this system. I will just put on the record that I don't think that the state certification list is any magic solution to the problem. I vote aye. I

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am happy to vote aye for this contract, because cless I believe you when you say that you are committed. I did not have that faith in many other contracts that come in front of us. Thank you.

Eudaly: Well, I want to thank cless for being here today and sharing his reflections with us, and I was, of course, disappointed that westech construction didn't reach the 20% utilization rate, but I understand that this isn't a pattern with them. There were unique challenges with this nature of the project, made it tough to get to 20% as well as the issue with the subcontractors system that we heard about earlier from lester. So I am happy to support it. I will say that we need some kind of vetting process for mwesb businesses because anyone could claim to be one if there wasn't, and that's the purpose that the co-bid system serves. My office has worked with numerous mwesb businesses to help them through that process, but it sounds like there are some real challenges with it. It either needs to be fixed or replaced. I vote aye.

Fritz: Well, as we know sometimes it's difficult for the city of Portland to get the state to fix the systems. Perhaps, we could add a second one for Portland, and maybe that's the thing we need to discuss. Thank you for coming in to tell us some of the challenges. I suspect that in the previous contracts, that we discussed this morning that had their principal shown up and explained, it may allay some of the difficulties and the clunky thing that we have got in place right now. I appreciate you -- your willingness to help us figure out a better way forward. Aye.

Wheeler: Aye. The contract is approved. Item 424, please.

ITEM 424

Moore-Love: Item 424

Wheeler: Lester?

Spitler: Good morning, lester spitler, for the record the City's chief procurement officer. The city council approved the authorizing ordinance in september, the engineer's estimate was 2.2 million, and the level of confidence was moderate. And we issued the invitation to bid on march 27 with bids due on april 30, and we received eight bids, which is a great showing. We don't typically receive that many responses so we were happy about that, and there was less than a 3% difference between the two lowest bidders. So we feel really good about the low bid that we got from goodfellow brothers. It does -- it is over the estimate, about 24% over the estimate, but like I said, with the 3% difference between the two lowest bidders, that gives us confidence that we got a good low price. Goodfellow brothers is -- intends to self perform 75% of the work. They have identified a little more than 20% of the work that they intend to use certified subcontractors for. And very quickly, I will review that. They intend to use brothers' concrete for concrete cutting, brothers is a minority owned business enterprise, native american male owned. For erosion control they intend to use fox erosion control landscaping, a disadvantaged and a woman owned business enterprise, caucasian female owned. Kodiak pacific construction for road construction and paving. A woman owned business enterprise and caucasian female owned and lastly, taylor transport for trucking. A woman owned business enterprise and caucasian female owned. And goodfellow brothers has had a recent project with the city of Portland. It started in 2018 and ended in march of 2020. It was a pbot project. The project was just under 5 million, and by the end of the project they achieved a 30.34% certified subcontractor utilization. The subcontractors were certified as disadvantaged business enterprises in just under a million dollars, and emerging small business enterprises in just under 600,000. That's the only project that we have recently that has closed.

Hardesty: Excuse me, were there no minority businesses in that contract?

Spitler: There was none used. That's correct.

Wheeler: Commissioner Fritz.

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Fritz: Thank you, mayor. I just wanted -- this is the water bureau project in the watershed to repaving the roads, and I just wanted to go into why it's higher than the estimate. The estimate was under on the cost -- and thank you to the chief engineer, teresa elliott, for this information. The estimate was under on the cost of hauling the rock to the watershed. All the items that included rock were higher the estimate with the exception of the channel gravel. The walls have lightweight fill and very limited rock were under the estimate, and some of the larger culverts were higher because of the depth of the culverts in the watershed and the number of elliptical pipes installed in the state for the use in the estimate. So teresa concurs considering the number of bids received it's unlikely that we would get different results. Rebidding the contract. I will note that kodiak pacific was one of the firms that was discussed in the previous item. And that they have not been able to get back to that contract bid in the allowed time. So it's clear that the -- there are, perhaps, are limited numbers of firms who meet the state standards or are on the state's list, and that we also need to continue to work, the work that we've been doing in supporting additional firms in becoming certified. So I appreciate the work that's been done on this.

Wheeler: Thank you, commissioner. Any further questions? If not I will entertain a motion and second.

Hardesty: So moved.

Eudaly: Second.

Wheeler: Thank you. Commissioner hardesty moves and Commissioner Eudaly seconds. Thank you, commissioners. Karla, please call the roll.

[Roll Taken]

Hardesty: I am just going to just put my objection on the table once again. We can do better am we must do better. I vote no.

Eudaly: Aye.

Fritz: Well, again, this does meet the aspirational goal. It's over the 20%, so it's clear that some of my colleagues don't like the rules, and we need to change the rules. In the meantime, this contract meets those rules, and I appreciate that. Aye.

Wheeler: Aye. The report is accepted. Now we will go back to item no. 414. That is the time certain item. Karla, please read 414, please.

ITEM 414

Moore-Love: Item 414

Wheeler: Colleagues, the bureau of development services is here to request that council adopt a resolution to extend the deadline to qualify for an exemption to pay system development charges, sometimes called sdc's, for homeowners trying to complete the construction of their accessory dwelling unit projects. In 2016 we extended the existing sdc exemption for dwelling units called adu's until june 30, 2020. This applied to imprisonment applications with intake dates from 2016 to july 31 of 2018. As of march 30, 2020, bds records showed there was still a factor of 223 outstanding permits eligible for this sdc waiver that had not yet reached the point in their project where they can get their final inspections approved. Bds staff has been working with these customers to get the projects needed and their inspections finalized. The covid-19 crisis created difficulty for homeowners to get work done by the contractors in a timely way, and it obviously caused some impacts to the service getting delivered by the bureau. For that reason, the reason for that is of course they temporarily limited residential inspections and postponed non-critical inspections that required inspectors to enter an occupied home, a reasonable precautions during covid-19. The projects include converting living space in a home, so the projects have been impacted by the inspection limitations. Homeowners embarked on the projects assuming that they could get them constructed and completed before june 30, 2020. They counted on the additional, or the existing sdc waiver. They, obviously, did not anticipate the delays resulting from the covid-19 crisis. They had not budgeted in many

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cases for the expenses of paying the sdcs. In order to help owners get their adu permits finalized, this resolution before us would extend the date for getting the permit finalized for an additional three months to september 30, 2020. If the council approves this proposal for a three-month extension to qualify for the sdc exemption, the second question then becomes how to handle those applicants who don't yet meet the deadline. A proposal before you is to give them two different options.

The homeowner can number one pay the sdcs that are due, or two, they can record a covenant agreeing not to use the adu or any other structure on the property as an accessory short term rental unit for ten years. This mirrors the current requirement for sdc waivers for adus permitted within faith based of a july of 2018. With that I will turn this over to david with the bureau of development services. Welcome, david.

David Kuhnhausen, Permitting Services Manager, Bureau of Development Services:

Thank you, mayor. Good morning. Good morning, commissioners. I'm the permitting services manager at the bureau of development services. I'm joined by two of my colleagues, bds division residential inspections division manager dave tebo and code and policy analyst nancy thorrington, the latter was instrumental in developing this resolution you're seeing today. As the mayor stated the resolution is to take the extenuating circumstances that we as a society and specifically related to these customers have had to deal with regard the covid-19 pandemic. Has directly impacted two major aspects of the construction process. One of which is that contractors and subcontractors having to adhere to the social distancing on construction sites has obviously slowed down progress on those sites. That definitely is the case on large sites where people are working on multiple floors or there's a large floor plan to spread out but for these adus that are maximum of 800 square feet it really only allows one, maybe two people to be in that space at any given time, so that significantly limits how quickly projects can be done on or how quickly work can be done on these projects. The second aspect is that as mayor wheeler stated, our inspections were temporarily limited while we evaluated how we were going to be doing our work with new regulations in place and getting those tools and processes in place to deal with the pandemic. I'm going to pass it to dave tebo in a minute so he can elaborate from the inspection side as to what his staff have had to deal with in relation to the covid-19 pandemic and how they do their work. But as an update, mayor wheeler indicated as of march 30 there were outstanding permits. As of monday, june 1 there are 203. So in those two months, 20 of these adu permits have been final. That may not seem significant progress but given the conditions that does seem like from our standpoint there is still work being done, it's being done slower, but there are still a number of projects that are ongoing. Just to elaborate a little bit more there's different steps in the process. There's different phases the permit is under so you can be under review meaning you don't have the ability to do that work. The projects understand inspection, there are 128 of them currently, and those 128 permits have had progress done in the last six months meaning an inspector has evaluated some scope of work meaning those customers continue to progress with their projects. With a little background bds has conducted outreach to customers to let them know that they have a timeline to meet and we have been customers have requested an extension on that. Up until the covid-19 pandemic really started to affect us we have been saying, no, this is the end of this ordinance it only allows so long, however, as work grinded to a halt on many of these projects with saw significant uptick in calls from customers who stated that work was not taking place or was taking place very, very slowly. I believe there's a number of public testimony that I want to make sure I allow time for today for customers who will have been directly impacted by this. But just to elaborate, a number of these customers who had called said should those fees be added to the permit they would need to revise their permit

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to remove that from the scope of work or completely abandon the project altogether meaning cans also everything and start fresh. I'll be the first to acknowledge a number of these won't be completed either by the june deadline or the september deadline but those customers who have applied for it were issued a building permit to construct an adu, we're asking the city acknowledge there are issues outside their control that have made it very difficult if not impossible to really complete those projects by the deadline. So as mayor wheeler stated there are a lot of options for customers who should this resolution be approved still do not meet that september 30 deadline. Those being those mirroring the current adu customers and that they can pay those fees which would range from 10 to \$15,000 per project or they can sign that covenant with the office of management and finance that they say they cannot rent any room or structure on their site as short term rental for a period of ten years. The latter option keeps those in the rental pool within the city and assists with the current housing crisis. So with that I want to see if dave tebo, the residential inspections manager harks any input from his side that he would like to add.

Wheeler: David, could we get a question here from commissioner hardesty, please.

Kuhnhausen: Absolutely.

Hardesty: Thank you, my question is simply just knowing where we are right now with covid-19, is this extension a little short?

Kuhnhausen: That's great question, commissioner hardesty. I would agree it's -- it does continue to make -- without knowing what this summer and fall are going to add in terms of number of cases that we see.

Hardesty: Thank you.

Wheeler: Thank you. You can continue. Thanks, david.

Kuhnhausen: Dave, do you want to add anything?

David Tebeau, Residential Inspections Manager, Bureau of Development Services:

Thank you, thank you, mayor, commissioners. Just briefly I would like to speak to the aspect of the impact of the global pandemic on the construction industry in general. Due to the governor's social distancing rules and construction industry willingness to provide service to whatever extent possible they were forced to reinvent how they do their jobs. The result of that was the fact that their work slowed substantially in an effort to keep the social distancing and to work through problems of how to do their work and maintain that social distance. Basically, they had the opportunity to continue to work, which they appreciated. But they had to do it within these confines so that really restricted their capabilities of servicing existing clients that they had because of the work slowage, and to take on any new customers that might need work done. I thought that was an important consideration to bring to the council's -- to the council to consider during deliberation of this. In addition we have been continuing to do our inspections to some extent like david alluded to. We're not going into unoccupied buildings any more. We're using technology such as video face time and skype to complete those inspections but not every inspection could be done that way. Even on the buildings that are stand-alone we are able to do isolated construction where we can do those inspections we had required that the contractors remove all of the work personnel while we do those inspections which means all work stops even while we're doing inspections. They have done their best to try to accommodate but it's just under the present conditions with the present paradigm we're not being able to complete the work. I wanted to bring that to the council's attention.

Wheeler: Thank you, dave. Appreciate it. Any questions before public testimony? Not seeing any. Karla, how many people are signed up for public testimony?

Wheeler: Are you muted?

Moore-Love: Sorry.

Wheeler: How many are signed up?

Moore-Love: One person. Benjamin weisel.

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Wheeler: You're up. Thank you for being here.

Benjamin Weizel, Contractor: Good morning. My audio has been cutting in and out. Hopefully you can hear me ok.

Wheeler: Yep.

Weizel: Thank you so much for allowing me to speak about this. It's encouraging that you guys are willing to look at extension to these permits. I'm actually a contractor and I build adus. It's never been a problem to meet a deadline. I have been very proud of my record of building beautiful little places in back of people's homes. But currently my customers lost their jobs and I was not able to finish a couple of jobs because of that and we're running into money problems. We can't finish this thing really by the June 30 deadline just due to money. We have had constraints with other contractors doing some work, the plumber and electrician have slowed down on other jobs and that slowed down this job. So the timeline has pushed out for that as well. But mostly it comes down to being able to afford to build it. I have really been proud of building these adus in Portland. I think it's neat that we're able to do it and I'm proud of you guys for spearheading all that. So I just hope an extension would relieve a lot of stress.

Wheeler: Thank you. We appreciate it. Thank you for sharing your personal perspective on this.

Weizel: Colleagues, any other questions for staff before we move to a vote on the resolution?

Hardesty: Mayor, I wonder if the presenters would entertain a friendly amendment that would allow us to extend this beyond three months. I'm concerned that not knowing what we don't know about how covid is going to be impacting us, especially since the major demonstrations that have shown up. We are a week out from knowing what the impact of all the mass demonstrations are. I'm just concerned that if we only do the extension for three months that in two months someone will be back asking for another extension. I'm wondering if doing a six-month extension would make more sense, and if we adopt need it then we won't need it but that question is on the top of my mind.

Eudaly: I will just say I do not support that. It was my office that made these sdc waivers permanent for homeowners who are building long term housing. I don't know why we ever were subsidizing homeowners who were building adus to put on the short term rental market. We don't subsidize other industries in that manner. Why would we subsidize people who are just building wealth and creating profit for themselves while not contributing, not relieving our -- not contributing to the relief of our housing crisis. So I am happy with the three-month extension. The shutdown turns out to be lasting about three months, we're starting to -- we'll probably be entering phase 1 in a week or two. But just to be clear, if you're building long term housing, which is what is needed, you get that sdc waiver. This only affects a small number of property owners, and I won't support extending it. We could talk about a payment plan or something, an extended period to pay the sdc's since it wasn't anticipated, but it was hard enough for me to justify extending this at all for people who are not building housing that we need.

Fritz: Well, I don't support extending it for longer for different reasons. One, we can always extend more if that's deemed necessary. Two, I would imagine that people who were thinking they were going to get into the short term rental business who may be rethinking that. So I support the resolution as written.

Hardesty: Sorry for trying to be helpful. [laughter] thank you very much. I withdraw my recommendation.

Wheeler: In these times, a good sense of humor is probably the most valuable of all assets. So well said. Thank you, colleagues. I think you have your answer, commissioner Hardesty. So this is a resolution. If there are no further questions, Karla, please call the roll. [Roll Taken]

Hardesty: Aye.

Eudaly: Aye.

Fritz: I hate to do my boring old person but this is an issue I have been working on for I think 20 years because I was on the planning commission when we first put into effect and figured out the first accessory dwelling unit ordinance and it's been fascinating to watch it refined and increasingly used over time and becoming more important for long term rentals and living situations as commissioner eudaly said. So I appreciate the flexibility and the willingness of bureau development services staff to negotiate through all of these changes. I'm happy to vote aye.

Wheeler: I would like to thank david and dave, both of you for your presentation and your work to prepare the resolution for the council. I think this resolution helps provide both relief and certainty in these highly uncertain times for those building adus in the city of Portland. At the same time I appreciate that the resolution addresses a decrease in demand for short term rentals and the increase in demand for long term rentals due to covid-19. Aye. Next 426, an emergency ordinance.

ITEM 426

Moore-Love: Item 426.

Wheeler: The parks system development charges are for sdc's are paid by developers on new construction and used in this case to expand our city parks system. The parks sdc fund is allowed to make interfund loans with conditions including a requirement to charge interest in a maximum term. This will make technical adjustments to two interfund loans because of the new realities created by covid-19. We have city treasurer brigid o'callahan joining us to give us more details. Good morning.

Brigid O'Callaghan, City of Portland Treasurer: Good morning, mayor, commissioners. I'm brigid o'callahan. I'm the city treasurer. Joining me today also are three representatives in the parks bureau should we need them to answer questions. Max mulverne, todd melton and victor sanders. The purpose of this legislation is to amend and extend repayment terms of two interfund loans to the parks bureau from the parks bureau recreation system development charge fund, the sdc fund, for parks. This has become necessary due to the financial impacts of covid-19. There are two loans presently extended under this program, one for the Portland international raceway, the other for the pittock parking lot capital project. The Portland international raceway loan in august of 2018 city council approved resolution 37377 authorizing an interfund loan of 1.75 million from the Portland parks and recreation system development charge fund to Portland international raceway fund to pay for the cost of paving the paddock area. In response to covid-19, pir is experiencing revenue shortfalls and this proposed legislation would extend the term of the existing loan from seven to nine years. Schedules no principal, interest payments in the current fiscal year payment would resume for interest only in '20-'21 and principle payments begin in fiscal year 2020-2022. The pittock parking loan in march of this year 2020 city council approved ordinance 189900 authorizing an interfund loan of \$200,000 from the sdc fund to the pittock parking lot capital project to pay for costs of installing meters, signage and administrative costs for a pay to park. Again due to covid-19 the pandemic situation, the pittock parking lot project has been delayed. No funds are anticipated to be loaned in this fiscal year of '19-'20. This legislation would amend the pittock loan repayment schedule due to the construction delays and moving the first scheduled payment of the loan to fiscal '20-'21, the year that the loan is expected to be utilized in. The interfund loans accrue interest at the city investment fund rate. That interest is payable to the parks system development fund, so it's a neutral impact to the system development fund. I would be happy to answer any questions.

Wheeler: Colleagues, any questions? Commissioner Fritz has a question, brigid, thank you for that presentation.

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Fritz: Thank you for the question. I don't know if there's anyone from parks to answer or maybe you know. The debt part of it makes sense to me. I'm curious as to why the pittock parking lot project can't move forward. It would seem the perfect time to do it while the mansion is closed. Is there anyone from parks who could address that or from procurement?

Victor Sanders, Portland Parks & Recreation: This is victor sanders from Portland parks. Unfortunately just due to the shifting in staff necessity early on covid we didn't have the staff capacity to take on this project right away in late spring, so we hope to pick that up immediately at the start of the fiscal year as we ramp down our parks response to covid.

Fritz: That makes sense. Thank you so much for being here to give us that information.

Sanders: No problem.

Wheeler: Thanks, victor. Any other questions? 426 is an emergency ordinance. Do we have any testimony?

Moore-Love: Yes, we have one person signed up. Edith Gilliss.

Wheeler: Oh, great. Good morning.

Edith Gilliss: Hello. Can you hear me?

Wheeler: Loud and clear.

Gilliss: And can you see me?

Wheeler: No, but we can hear you.

Gilliss: What I would like you to do is have a separate vote for the separate funds and loans separate projects. This is consistent with Oregon law. One issue per voter per ballot. I strongly agree with the pay to park at pittock mansion and to be using it now and I strongly, strongly oppose paving and the use of the Portland international raceway. At a time when we just voted to reduce noise pollution and we have been talking about reducing carbon emissions and climate disasters an the problems of the air pollution, chemical and noise pollution on immune system and on respiratory health in the middle of has pandemic I strongly disapproved of the raceway. Instead of having us pave more which uses more dependence on petroleum products, more pollution and more heating we need instead to break up the roadway, have only one lane wide, have gravel on the other side, and to instead of having grass have it be an organic permaculture food forest and have it have organic pollinator garden paths. We need to have more biodiversity. We need to clean the air, cool the air, clean up the water, stormwater that goes in, and have the biodiversity that prevents the pandemics that we have had due to violation of eco-systems and violation of our biodiversity. We need to have this to make it safer an healthier for people who live in the neighborhood to reduce the speeding as a result of people getting excited about the roadway, and we need to have safe places for people to do disease distancing as they enjoy nature and we need that flat area that could be used for internal refugee camps for when we have our earthquakes, et cetera. So we need to have that area not paved, not used for excess for carbon and cars and pollution. We need to mitigate the air pollution, the diesel, noise pollution that is harming public health and safety and we need to actively create something that is constructive. In that process we can also have public art that let's folks know about our indigenous and other people here that's consistent with 412 that I am strongly in favor of with some very strong ways to include and strongly in favor of 413. So again, separate the vote, two different projects, go forward on the pay to park at pittock and do not pave, do not include and repurpose that public space for things that are good for public safety and public health.

Wheeler: Thank you, Edith. Appreciate your testimony. Colleagues, any further comments or questions? Seeing none, Karla, please call the roll.

[Roll Taken]

Hardesty: Aye.

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Eudaly: Aye.

Fritz: I appreciate Edith's comments, however, this isn't the process to make that change. Aye.

Wheeler: I vote aye. The ordinance is adopted.

ITEM 427

Wheeler: Next is 427, please.

ITEM 427

Moore-Love: Item 427

Wheeler: This is a second reading. We had a presentation and had opportunity for public testimony. Is there any further comment or questions on this before we call the roll? Seeing none, Karla, please call the roll.

[Roll Taken]

Hardesty: Aye.

Eudaly: Aye.

Fritz: Aye.

Wheeler: Aye. The ordinance is adopted. Next item, 428, an emergency ordinance.

ITEM 428

Moore-Love: Item 428

Fritz: Sorry, I'm toggling back between the talking points and the unmute. Thank you very much. I'm very excited to bring this to council in partnership with the mayor. We know that small businesses are hurting because of the covid-19 pandemic and in particular we know this to be true for small businesses owned by women, communities of color and others with historic disadvantages to capital. I'm very happy that the water bureau and -- the Portland water bureau and bureau of environmental services are partnering with prosper Portland to support small businesses through this new small business program for utility relieve or spur. Utilities allocated 1 million to provide financial support for qualifying small businesses in the form of a one-time credit on their sewer, stormwater water bills which as we know it's a combination of two-thirds sewer and stormwater charges and one-third of the drinking water. The spur program is designed to do exactly what its name suggests, to spur vital economic activities of our small business world. The utility bureaus are investing in our small businesses now so that they will be here to invest in the water, sewer an stormwater infrastructure for years to come. In the long term we're supporting businesses so they can stay in business, recover and continue contributing to our community. Using prioritization and vulnerability criteria developed by prosper Portland the program will provide impactful relief for small businesses by reducing temporarily an operating expense to support stabilization and longest as they cope with the pandemic. The credits will range from \$1,000 to \$10,000, between 200 to 300 business will receive credit. We know the need in the small business community is great. We designated this -- designed this program to work with others like the cares act funding to help address that need and still we know that it's probably not enough, so we sought prosper's assistance for the application process an prioritization given the success of their small business grant program in getting the money to those most needing it. This program will -- the application will open July 8 and stay open for two weeks. I think that's still the right date. Staff can correct me if not. We're keeping it open to allow businesses time to learn about the opportunity and submit their applications. We don't want to cause additional stress on our businesses by giving it too short of a time frame. On the other hand we really want to get these credits so that businesses know that that's one less thing they have to worry about. The small business utility relief program is one part of the suite of financial assistance services the bureaus offer and other programs exist for residential customers including multifamily tenants at risk of eviction of this authorizes the bureaus to establish the \$1 million one time small business utility relief fund and enter into an intergovernmental

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agreement with prosper Portland to administer the program including application, development and selection. I believe the mayor has comments to make also.

Wheeler: Thank you, commissioner Fritz. The city of Portland is committed to centering racial equity in our collective response to the covid-19 crisis. The city recognizes that black, indigenous and people of color individuals with disabilities, those experiencing poverty are often disproportionately affected. The city is dedicating resources to help prevent this crisis from continuing exacerbate existing inequities. I'm very pleased that the water bureau and the bureau of environmental services have partnered with prosper Portland for this program. Prosper Portland will parities expertise and grant program development with the utility bureau's trusted infrastructure to disperse funds rapidly to diverse and women owned small businesses throughout the Portland community. The spur program's guidelines have been informed by the equity and vulnerability criteria used in the Portland small business relief fund. That fund was led by prosper Portland back in april in response to the pandemic. Prosper Portland's existing equity center networks and advisory bodies, leaders from other cities and financial partners played a key role in initial development of the guidelines and once again i'm very, very grateful for this collaboration. With that I now turn it over to gabe solmer and sarah santner from the water bureau. Take it away for us.

Gabriel Solmer, Assistant Director, Portland Water Bureau: For the record i'm gabriel solmer, director of the Portland water bureau. Thank you so much. I feel like you covered so many good points. We will go through a few more details but you have a lot of that information already. I'm joined by sarah santner from the water bureau and shea flaherty from prosper Portland to go through some of this information. I also want to thank the bureau of environmental services who is a key partner in this as commissioner Fritz said that the utilities are really united in this work. Thank you so much to staff for putting up the presentation. As you've heard, we are here as utilities to share our with prosper Portland to provide one time credits, qualifying businesses sewer, stormwater, water combined utilities bills. Through the program for small business utility relief. As commissioner Fritz mentioned, this is an expansion and the water bureau and the extension of us working together to adapt and continue to support our customers and all water users. As you may know we put into place with the first -- when the pandemic first started no interest flexible payment schedules available to all customers. We temporarily suspended late fees, collections and stopped water shutoff. We have a moratorium on accounts with past due balances and restored water service for anyone who had been turned off for nonpayment. In addition, as commissioner Fritz mentioned, we have a robust financial assistance program that includes bill discounts both at 50 and 80% discount. We have crisis vouchers that is \$500 amount that is available for income qualified customers who are enrolled in the discount program. We have a utility safety net which provides long term interest repayment arrangements if someone has unemployment or medical or other personal emergency. We have water leak repair program and that is funding for repairs of water leaks for income qualified homeowners, and of course you're familiar with our partnership with home forward which provides multifamily rental assistance up to \$500. What we want to do is expand that for support for small businesses. We have developed that program. Next slide. As commissioner Fritz mentioned, we are here before you to establish the small business program for utility relief and to authorize both the water bureau and the bureau of environmental services to commit \$1 million collectively for bill credits through this program. We will also establish the intergovernmental agreement with prosper Portland for up to \$100,000 for program administration through prosper. Next slide. Mayor, as you went through, bes and water, we are not neutral on racism both historic and current and we know the economic impacts of the pandemic are being felt disproportionately by black, indigenous and all people of color. By working with prosper the utilities are building on that

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established equity centered criteria and prioritization. We were invited to present to the Portland utility board yesterday. They had some concerns about project management and how the utilities could accomplish this critical equity centered work. I just want to share that that's why we have partnered with prosper Portland as they have written program guidelines and approved those guidelines to address this very issue within the confines of the current pandemic. So I know that council is well aware of the success of the small business relief fund but if others are not as familiar with that program I would like to ask shea flaherty, one of prosper Portland's project managers, to go over those briefly and we'll turn it over to water program manager sarah santner to explain how that informs the program today.

Hardesty: Excuse me, I have a quick question.

Solmer: Of course

Hardesty: I notice that your equity statement leads with women. Is there a reason why you put women first rather than black, indigenous and other people of color?

Somer: I will ask prosper because this equity statement I believe comes from the small business relief fund so we are using the same language. Maybe prosper can speak to that. Shea, do you want to speak to that as you start your comments?

Shea Flaherty Betins, Economic Development Manager, Prosper Portland: Yes, I can. I think I'll add that's just how it's been worded in the slide. I think our official statement reflected more what council had approved in our previous work session.

Hardesty: I thought the equity statement was black, indigenous and other people of color then we added other groups but I thought we were really intentional about leading with black and indigenous people because of the historic harm that's been done. I'm curious to see this on the screen with women in the lead.

Flaherty Betins: That's correct. I apologize. It's an oversight. The actual priority language is. I'll start if I could have the next slide, please. Thank you, gabe, mayor, commissioners for allowing us the opportunity to speak today. I'm just going to share briefly some of our process and approach as well as out comes for the small business relief fund. Focusing in on some program guidelines, marketing, outreach and selection topics. For our guidelines we leaned heavily on our internal equity lens and small business experience. [audio not understandable] through our network. We also benefited from having some support from council of economic and racial equity members as well as inquiries received as far of our small business hotline put up to support small business through the pandemic. City council was heavily involved. You'll recall that we established some priorities to really further refine vulnerability priorities and eligibility criteria and remind folks those were focusing on businesses that were prioritizing employee support, prioritizing their own stability, prioritizing impact of the dollars as well as use of those dollars for the individual businesses. The application was translated into the four other spoken languages including spanish, vietnamese, russian and chinese. It was a robust campaign including email, social media, phone calls, small business hotline as well as some of our existing emails for prosper Portland. We did communicate extensively with our partners in the inclusive business resource network and minority chambers, our partners at work systems, we also had partners who mentioned some additional outreach sump as district association. [audio not understandable] pda, travel Portland, many my north partners and others. For the selection process apologies for the busyness of this slide. This happened very early on in the crisis, early weeks, attempting to provide immediate relief before federal supports came online and a lot of those didn't actually reach businesses in our community. That was the intent early on. In terms of the review process, early on after we received over 11,000 applications, those of which about 9,000 were initially eligible, for four days a review committee dedicated tremendous amount of time to reviewing data and applications and doing initial analysis. About seven to eight staff involved in that. We had three

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members of our council for racial and economic equity who worked to review some of the selections and approve the process. We focused on racial equity and economic relief using the priorities established by council that I mentioned earlier to expand diverse representation in our final list. We applied an equity lens that prioritized not only demographics but intersectional identities, lgbtq-plus, veterans, as well. [audio not understandable] nonenglish speakers. We also had questions that spoke to past experience with bias around discrimination with financial products. The committee was also mindful of giving attention to east Portland residents where incomes and resources traditionally lag the rest of the city. There's a question why we put such heavy weight on bipoc communities. We hope that goes out saying but historically we know numbers related to access to capital -- we were mindful of that for example many of the banks that received stimulus funds had already committed those to existing clients. We feel further justified when we see data showing that federal relief products inherently in their design were unable to reach bipoc communities. If I could have the next slide, please. Speaking to some of the outcomes, specifically of the over 8700 applications we know the need was tremendous. We were not able to reach all the awardees by any means and we know the need persists in community. 90% of our awards were given to people of color and just to not perpetuate the -- I will share 18% of these funds went to our api community. That's when you factor in an earlier grant that went out to our partners at apano in form of a block grant. 27% went to black or african-american business owners, 16% went to native owners and others we had multi racial categories, 6% went to white business owners. So I will add a little more about the award levels. The 210 businesses that received grants ranging from 2500 to 10,000 the 2500 grants went to 100 community serving businesses with single employees as they were the only employee. Many had furloughed workers in the hopes they could use funds to reemploy. Recipients ranged from child care, preschool care providers and coffee houses, businesses essential to the fabric of the community. The largest grants were to support larger businesses where funding would have a greater ripple effect, core community businesses taking extraordinary measures to support their employees. It's a challenging thing to narrow down over 8,000 applications to 200, so we really had to focus on those businesses that were going above and beyond to support staff. One of the businesses using a 10,000 grant was using personal funds to provide food for employees. Another was keeping employees on payroll and providing personal protective equipment at their own expense. The stories continued on and on of what our small businesses in our community were doing to support staff. I will add that an additional group of businesses on top of the 210, about 70 businesses, were awarded funds using the same criteria that received these grants from an additional pool of money generated by local banks and housed at the Oregon community foundation. They are on a slightly different timeline. The method by which these funds were done in partnership with local community development financial institutions so we had micro enterprise of Oregon. [audio not understandable] disbursing the dollars to businesses directly once the selections had been made. That concludes my portion. I'll pass it back to my colleague.

Sarah Santner, Water Efficiency Division Manager for the Portland Water Bureau:

Thank you, shea. We just wanted to reground the work that prosper had done on the previous round. Next slide, please. In developing spur we have pulled forward three guiding principles that will hopefully be familiar from previous prosper work. That is prioritize and support the most vulnerable applying a racial equity lens. We're center it on bipoc businesses. Also wanted to have meaning. Resource allocation, something that would provide impact the businesses that we're serving. We wanted to act quickly and build on the existing work so we're using and planning to borrow from the equity and vulnerability criteria developed by prosper. We are using the sewer stormwater and water bills to deliver these credits efficiently. Our third guiding principle is to work together to take

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action in partnership, and this is an example of bes, water and prosper coming together to try to serve businesses. Next slide. A bit of an overview, the program as you've heard already i'll restate we have allocated \$1 million to support the bill credit fund program. These are one time credit on the sewer, stormwater, water bill. We anticipate the credits will range between 1,000 and 10,000 and we'll be able to serve between 200 and 300 businesses. We're expecting that the applications will be ready to open to the public July 8th and they will stay open for two weeks as commissioner Fritz described we want to give adequate time to allow people to hear about the opportunity and to put in their application and then we wanted to respond quickly. Next slide, please. The program equity and vulnerability priorities are as we have discussed the small businesses owned by black, indigenous and people of color and/or women and businesses currently open or identified to be opened in governor Kate Brown's phase 1 reopening plan. We have centered priority around child care businesses. Next slide. So the eligibility requirements, these will be very familiar to you as they are borrowed from the previous prosper program. The business must have lost revenue due to the impacts of the pandemic. The business as de find must have \$2 million or less in annual gross revenue and 50 or fewer employees. To be able to provide the credit on the bill the business must receive water sewer stormwater service from the city of Portland. The business must have been in operation and in compliance with state of Oregon registration requirements on or prior to July 1, 2019. Next slide. So just a little bit about how the process will work, the application, selection and disbursement process, this is a graphic that describes what we're thinking. It will be a simple online application managed by prosper Portland. We're going to utilize the tools that they created. They will be modified for this program but it will be based on good work they have done. As you know, the materials will be translated into the four language that shea described. Spanish, Russian, Chinese and Vietnamese. The applications can be submitted online and will be open again July 8. Utilities in prosper will work together through the applications to use the prioritization criteria to select applicants. The application selection will be made up of staff and hopefully outside perspective as well. Once the selection is made, the account numbers identified for the credits will be passed to the water bureau for upload on to the utility bills. Next slide. I'm going to pass this back to Gabe to go over what our next steps are so you have the information you need.

Solmer: Thank you for going through that. The next steps would be if council approves today then the bureau of environmental services and water will work directly with prosper to reaffirm the selection process making sure we make any additions in getting information from outside stakeholders. This particular program but using established criteria and process. We will develop the application and that will be translated, streamlined, mobile friendly and continue to build out that outreach plan to work directly with community partners so we're reaching impacted businesses. That would include multilingual mailing for commercial customers, partnership with community engagement liaisons, media outreach to culturally specific media, direct outreach to community organizations and partners and of course prosper will share the information with the inclusive business resources network, minority chambers and other community partners as well as past applicants from their grant and loan programs. Then after outreach we'll finalize selection and disbursement process. We have invited a member of the Portland utility board to sit on that selection committee so that we can have their input as well. During the application window and period we have learned that it is very important to provide support to the applicants and potential applicants so as well as having the application in multiple language we have also trained our call center to manage those calls. We have set up a small business hotline to manage any calls that are more complex. We have frequently asked questions to provide and a website as a resource. Next slide. Just as a reminder what's before council is an ordinance establishing this program and authorizing the utilities

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to commit a collective 1 million for these bill credits and then also establish the partnership between prosper Portland and the water bureau for an intergovernmental agreement for program management up to \$100,000. That concludes staff presentation. We can take any questions.

Wheeler: Colleagues, any questions on this item? Commissioner Hardesty.

Hardesty: Thank you, mayor. Thank you all for that very detailed presentation. I'm going to ask a question because I know somebody is going to ask me this question. Are we using these funds legally based on what the rules are in the water bureau? Are these funds that are appropriate for us to be giving out in a way that's not actually written into law?

Solmer: That is a very good question. I don't know if there's a member of the city attorney's office that can speak to that but I will say that we consulted the city attorney's office to make sure that we were drafting the program in a way that does meet all of our requirements.

Hardesty: Wonderful. You know somebody is going to ask that very soon.

Solmer: Absolutely.

Hardesty: I thank commissioner Fritz for her work in shepherding this forward in such an expedient manner. This is desperately needed support and I appreciate all of you who presented today. Thank you.

Wheeler: Thank you. Commissioner Fritz.

Fritz: Thank you, commissioner Hardesty, for that support and for your question. That was one of the reasons that we chose to go with a bill credit rather than giving the money as grants to community members to do whatever they thought was the most urgent for their business. So we did want to make sure and Karen Moynahan in the city attorney's office has always been very diligent to make sure that we don't overstep that boundary. Thank you for clarifying.

Wheeler: Any further discussion on this item? Is there any public testimony on this item?

Moore-Love: No one signed up.

Wheeler: Very good. It's an emergency ordinance. Please call the roll.

[Roll Taken]

Hardesty: Again I want to thank commissioner Fritz. She's been committed to this ever since the COVID-19 started and I'm happy to see this moving forward. I want to thank prosper Portland. Prosper Portland has enhanced its reputation by the expedient nature of which they have been able to provide relief for community members who are in desperate need. So good work all around. I vote aye.

Eudaly: I also want to thank commissioner Fritz for championing this project. Also want to thank the work of the water bureau, prosper Portland, commissioner Fritz's team and commissioner Fish's team, who all worked together to make this happen. This provides meaningful support for small businesses and builds off a successful framework that my office was happy to support in development with prosper Portland and all of the other council offices. Really appreciate how quickly you're moving to get financial assistance out the door. I know thousands of our small businesses are struggling right now. I vote aye.

Fritz: Thank you for your support, colleagues, and thank you, mayor, for your partnership in developing this program. I'm going to start by thanking the front line staff in the water bureau and environmental services whose dedication and sacrifice have been absolutely outstanding during the COVID crisis and many of whom have kept working in buildings and then many more have been working from home without missing a beat. Thank you to the staff and thank you Kathy Koch and the staff in the customer service center at the water bureau. Their staff will be available to take questions about this program as will commissioner Eudaly's staff in the information and referral section so people can call 823-4000 for more information. Then thank you to the leadership water bureau director Ike

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stuhr, deputy director solmer and the water efficiency manager. You took, oh, my goodness we need to do something about this, to be clear, the impetus was reading emails from constituents saying I don't fit into any of the other programs that you have to help the various sectors. So I need to be able to keep this business running so that the employees can stay employed and so that the customers or renters can keep those services going. That was the generation for that. I will say again as I mentioned at the beginning of this session that we're currently being somewhat overwhelmed with emails coming in on the topics, so if people are still emailing me I think I got 1,000 emails yesterday. Even I cannot respond to that many despite as hard as my staff and I are working. I thank everyone who is engaging both in the acuity crisis covid crisis response and in the chronic black lives matter, racism response. This program attempts to assist in both of those urgent needs for our community. Thank you for prosper Portland as commissioner hardesty said becoming an excellent partner with equity sensitive networks and leaders from other cities, leaders from the community, advising them, also the financial partners who have played a key role in the development of the guidelines. Particularly amy neggy and shea flaherty. Your dedication has helped develop and launch this program. Thank you to astrid, my senior policy advisor for the water bureau, who helped guide this process and who is firmly committed to the principles that have guided it. I appreciate everybody's work. Thank you for this partnership and what it will allow us to do to support Portland small business owners. Aye.

Wheeler: I want to appreciate the extraordinary leadership of my colleagues, in particular commissioner Fritz for your hard work on this. The city team, there were so many people who played a valuable role in this and I think it's a great collaborative effort. It's a brilliant vision. It's one that is keenly needed by people in the community who are hurting during this covid crisis. I'm very happy to vote aye. The ordinance is adopted.

Wheeler: Next is a four-fifths agenda. Please read 428-1.

ITEM 428-1

Moore-Love: Item 428-1

Wheeler: Colleagues, i'm very pleased that this item is on our agenda today. I'm enjoying the city council's unanimous sponsorship of this item. Today we're authorizing cathy to sign agreements with three of our labor partners, dctu, liuna and pro tech. Our human resources director cathy bless is here with heidi brown to present.

Cathy Bless, Chief Human Resources Officer, Bureau of Human Resources: Thank you, mayor. Good morning, commissioners. I'm cathy bless, chief human resource officer with the city. My remarks are going to be for all three of these items, 428-1, 2 and 3 as was said on the agenda.

Wheeler: I'm sorry. I didn't turn the page. Can you read 2 and 3 as well, please? Sorry about that.

Moore-Love: Yes.

ITEM 428-1

Moore-Love: 428-1

Wheeler: Sorry about that, cathy.

Bless: No worries. So these three ordinances before council today seek your authorization for me to enter into agreements on behalf of the city with dctu, pro tech 17 and the laborers group. I will briefly keep my comments related to all three of these ordinances. I would like to take this moment, however, and thank our union leadership, rachel whiteside, tom collette, val glen and mark kinkel as well as their negotiation teams for their collaboration in these agreements. I would also like to thank the labor relations team within bhr, budget director jessica cannard and her staff, deputy city attorney heidi brown as well as chief of staff carly edwards, commissioner hardesty and chiefs of staff kristin dennis and deputy chief of staff jamal fox from your office, mayor. As was stated with other agreements

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approved a couple of weeks ago all have worked tirelessly in getting to this moment and we continue to value the work of our employees covered under these agreements today. For your consideration the dctu letter of agreement includes a contract extension for six months, a cola freeze until January 1, 2021 and 64 hours of furlough time for members eligible under the work share program. This offers members the ability to reduce their normally scheduled hours in response to covid-19 with approval from their bureau as an alternative to furlough days. This may offer a better opportunity to address work-life balance in the months ahead. Both approaches are eligible under work share. The concessions made by the dctu are made to support the city's budget shortfall due to covid night valued at 4.5 million. I ask you approving the authorization for me to enter to the agreements. Do you want to take care of that action first? Or do you want me to speak on to the other agreements?

Wheeler: Why don't we go ahead and do the complete presentation.

Bless: Sure. Secondly for your consideration is the laborers letter of agreement. It includes a contract extension for one year. A step freeze through the next fiscal year, eight days of furlough time for members eligible under the work share program and four furlough days for members not eligible. The concessions made by the laborers are made to support the budget shortfall due to covid and are valued at about 2.3 million. As you can see there will be differences in each agreement and each address the nuances of the memberships within these agreements. I fully support this agreement and ask you to approve the authorization for me to enter into agreements on behalf of the city with laborers. Then finally for your consideration is the pro tech 17 letter of agreement. It includes a contract extension until December 31 of 2021. It also includes a cola freeze until January 1, six months delay in step increases, and five days of furlough for employees who earn more than \$29.55 per hour. This letter of agreement also offers pro tech 17 members the ability to reduce their normally scheduled hours in response to covid-19 with approval from their bureau as an alternative to furlough days. Again this may offer employees a better opportunity to address the work-life balance and both of these approaches are eligible under work share. The concessions made by pro tech 17 are made to support again the city's budget shortfall due to covid-19 and are valued at 4.1 million. I fully support this agreement and ask you approve authorization for me to enter into the agreements on behalf of the city and pro tech. That completes my comments and I'm available to answer any questions that you have.

Wheeler: Before we move on to that I just want to thank you, Cathy, and your entire team. I of course want to thank Heidi and our council office staff, Jamal Fox and Carly Edwards and particularly acknowledge the great work that the two of you did. You took on leadership roles during these conversations, and of course our labor partners for the very challenging work that they all did together. I also want to thank the union leaders who worked with the city to reach these agreements. Collectively they represent over half of the city's work force. Of course we already reached an agreement with our firefighters and the commanding officers from our police bureau. Altogether these five unions represent 70% of our city's work force. Altogether these five agreements will save us approximately \$14 million next year helping us close what we think will be about a \$75 million budget gap. I have said all along that protecting our community's core services and protecting our workers are my top priorities as we navigate through this difficult budget year, and I have said that I hoped our labor partners would work with us to find savings in a way that felt right for their members. When we start with shared values and when we have clear goals in mind we can meet these extraordinary challenges with extraordinary partnership. I want to make it clear everybody on this council and virtually every member of our council team worked really hard in some way or another along with our labor partners, along with our labor negotiations team, along with our legal counsel to come to a resolution which

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respects our shared values. This speaks very, very highly of the public employees that work for the city of Portland that they were willing to take sacrifice on themselves and on behalf of their families in order to continue to support the important work that people do here at the city of Portland. I just want to really acknowledge that positive spirit. With that in mind, do we have any questions at the moment? Do we have any public testimony on any of these items?

Moore-Love: No one signed up to testify.

Wheeler: Why don't you call the roll, please, on 428-1.

[Roll Taken on 428-1]

Hardesty: I will do all my thank yous now because we have three of these. I want to join the mayor in thanking cathy and her team, heidi and her team, carly, wonderful chief of staff, carly edwards. Jamal fox and the mayor. Without all of us playing a role we would not have these agreements in front of us today. I just really appreciate our union workers being willing to come to the table and help us actually address the budget deficit that we have. None of us want our employees to have less money, but we also know the reality of our financial situation moving into the next fiscal year. I'm so proud of our union leadership and the city of Portland and as the mayor said, we now have agreements with over 70% of the city's work force, and I am so proud and honored to vote aye.

Eudaly: Well, I echo the thanks to everyone who has already been acknowledged, especially the unions and every city employee. We're going to have to have another series of hard conversations, so I am welcoming and inviting recommendations from our labor partners about how we can build on the positive interactions represented with these items today as we head into the fall. I vote aye.

Fritz: I'm also very grateful to the district council of trade unions, to the professional and technical union number 17, and to the labors union and 483 for their partnership. For the collaboration we have seen from our labor partners over the last few months. Thank you to the mayor and his team who have done astonishing leadership in this time. Thank you, cathy bless, the chief human resources officer and her team who have done very good work. Thank you to commissioner hardesty's chief of staff carly edwards for her role in helping reaching these agreements. Thanks to tim cray on my staff who has been my labor liaison for the 12 years we have been in office together. This sudden unanticipated drop in revenues caused by the coronavirus pandemic creates a hole unprecedented even in recession. Mayor and city budget office have done fantastic work minimizing the long term impacts to city services which means minimizing impacts to Portlanders. Short term savings to employee sacrifice. Thank you to each of our employees whether represented or nonrepresented who have been willing to make these sacrifices. Each of the three letters of agreement are tailored to the needs and circumstances of their memberships, which is as it should be. I commend cathy bless and the mayor for not insisting on a one-size fits all, working with the unions they were able to tailor the agreements to meet members' needs. I do hope that their members will ratify these agreements. This is I appreciate that this is being done in a little different order, often we wait for the membership to vote before the council agrees to the tentative agreement. On this one because of the need for speed we are saying -- we approve if the membership does. That is how it should be this time. We can't do this without our employees and I hope that they will ratify what their excellent leadership has done in negotiating on their behalf. Still tough decisions ahead of us as we work to recover from the economic disruption. These agreements go a long way to make future decisions less dire. Thank you, everyone. Aye.

Wheeler: I won't repeat my speech or my thank yous. Colleagues, great work. Thank you to our labor partners. Thank you to our city bureaus. This is great leadership all around on behalf of the entire city team. I'm very proud to vote aye. The ordinance is adopted. Please call the roll on item 428-2.

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[Roll Taken on 428-2]

Hardesty: Aye.

Eudaly: Aye.

Fritz: Aye.

Wheeler: Aye. The ordinance is adopted. 428-3, please. Call the roll.

[Roll Taken for 428-3]

Hardesty: Aye.

Eudaly: Aye.

Fritz: Aye.

Wheeler: Aye. The ordinance is adopted. Thanks all. Next we'll go back to the one item pulled off the consent agenda, 416, please.

ITEM 416

Moore-Love: 416.

Wheeler: A Portland street car derailed striking multiple vehicles as well as city owned property. The derailment and crash were caused by defects in the master controller unit of the streetcar. The city purchased the streetcar master control unit from bigger works llc, formerly Oregon iron works, llc, which provided warranties regarding these products. The city intends to tender third party claims for events and indemnification. The city is working with bigger works to resolve the city's own claims for damages. This authorizes the cities attorney to file suit begins bigger works llc, if we are unable to reach a negotiated resolution in connection [audio not understandable] here to answer any questions are ryan bailey and naomi sheffield. Good afternoon. Karla, who pulled this item?

Moore-Love: This is pulled by edith gilliss, but she is no longer on the line.

Wheeler: Colleagues, do you have any questions on this item? I'm not seeing any questions. Last call, is there anyone who would like to testify on this item who is present? I'm not seeing anyone. Please call the roll.

Hardesty: Aye.

Eudaly: Aye.

Fritz: Aye.

Wheeler: Aye. The resolution is adopted. Karla, that completes our business for this morning, does it not?

Moore-Love: That does, mayor.

Wheeler: Very good. Colleagues, thank you all. We're adjourned until 2:00 p.m.

Hardesty: Mayor, I think commissioner Fritz wanted to withhold her comments until the end and I just wanted to --

Wheeler: Good call. By the way, before I forget because you know we're not reconvening at 2:00 p.m. We're reconvening at 2:30 this afternoon. So I want to make that quick correction before anyone tunes in at 2:00 and wonders where did the city council go. Commissioner Fritz, would you like to make a comment?

Fritz: Thank you. If I had wanted to I would have raised my hand but I made some brief comments and what I said was I would be putting out a statement. I don't wish to make another one at this time.

Wheeler: Thank you all. We'll see you at 2:30 this afternoon. We're adjourned.

Council recessed at 12:18 p.m.

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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.

JUNE 3, 2020 2:30 PM

Wheeler: Karla, can you please call the roll. [roll call taken] under Portland city code and state law the city council is holding this meeting electronically. All members of the council are attending remotely by phone and the city has made several avenues available for the public to listen to the audio broadcast of this meeting. The public can also provide written testimony to the council by emailing the council clerk. The council is taking these steps as a result of the covid-19 pandemic and the need to limit in-person contact and promote physical distancing. The pandemic is an emergency that threatens the public health, safety and welfare which requires us to meet remotely by electronic communications. Thank you all for your continued patience, flexibility and understanding as we manage through this difficult situation to do our city's business. At this point i'll turn it over to our very able legal counsel to read the rules of order and decorum.

Lauren King, Deputy City Attorney: Good afternoon. To participate in city council meetings you may sign up in advance with the council clerk's office for communications to briefly speak about any subject. You may also sign up for public testimony and resolutions or first readings of ordinances. The published council agenda contains information about how and when you may sign up for testimony while city council is holding electronic meetings. Your testimony should address the matter being considered at the time. Please state your name for the record. Your address is not necessary. Please disclose if you're a lobbyist. If you represent an organization please identify it. The presiding officer determines length of testimony. Individuals generally have three minutes to testify unless otherwise stated. Disruptive conduct such as shouting, refusing to conclude your testimony when your time is up or interrupting others' testimony or council deliberations will not be allowed. A warning will be given that further disruption may result in a person placed on hold or ejected from the meeting. Please be aware all council meetings are recorded.

Wheeler: Thank you very much, lauren. Karla, we have one item this afternoon. Could you please read item number 429.

ITEM 429

Moore-Love: Item 429

Wheeler: Thank you. Colleagues, today we continue our work on the residential infill project. The before we begin this substantive discussion I want to announce that I rent property in a residential zone. Properties in all residential zones can be impacted by this residential infill project. I have no plans and no intent and frankly no ability to redevelop or change the use of my property personally, however out of abundance of caution i'm disclosing this as a potential conflict of interest. Colleagues, would you have any disclosures to make?

Hardesty: Thank you, mayor. I also rent property within the city limits that would be covered by the legislation we're considering. I also have no ability to make any changes to it because I don't own it. I'm a renter, a proud renter. But just for the sake of caution I want that to be on the public record. Thank you, mayor.

Wheeler: Thank you, commissioner hardesty. Commissioner Fritz.

Fritz: I also own property in the city of Portland. I will neither benefit nor be damaged by this proposal to a greater or lesser extent than anybody else. Therefore I continue to participate.

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Wheeler: Commissioner eudaly.

Eudaly: I'm also a renter. I have no ability to benefit from this legislation, similar to what everyone else said.

Wheeler: Thank you, commissioner eudaly. As a recap of where we are in the project after hearing public testimony in January and holding two work sessions on January 29th and then again on February 12th, the Bureau of Planning and Sustainability staff have developed concepts for amendments to the proposed draft of the residential infill project and reopened the record for public comment. The public can read and submit written testimony about the proposal by visiting the BPS testimony app page of the project. After a truly impressive amount of work and coordination from the staffs at the Bureau of Planning and Sustainability, Bureau of Development Services, Portland Bureau of Transportation, Bureau of Environmental Services, Water and Housing Bureaus and of course our city attorneys the Bureau of Planning and Sustainability will present the complete package of amendments. I want to thank our city staff for their hard work to help prepare these proposals for the city council. I also want to thank those who submitted their comments and met with staff to help strengthen the original proposal. I'm now going to turn this over to Bureau of Planning and Sustainability Director Andrea Durbin to walk us through the agenda. Good afternoon, Andrea. How are you today?

Andrea Durbin, Director of the Bureau of Planning and Sustainability: Good afternoon, Mayor. I'm doing very well, thank you. Thank you, it's a pleasure to be talking to you about residential infill. We organized the agenda into two parts. First we'll introduce and briefly review the draft amendments for the infill project. The amendments were shared with the public in early March. We suggest council move and second these prior to testimony today. We suggest you hold your deliberations until after hearing testimony. We'll return June 18 for deliberation and a vote on the amendments with a final vote set for July. The second part of today's agenda will be public testimony. We ask it focus on the package of amendments. We're recommending a two minute limit on testimony to ensure we hear from as many as possible and when the record closed last night we had 96 people sign up to testify June 1 starting at 2:40 p.m. In case people are not able to speak today they will have an opportunity to come back.

Wheeler: Before you move on it looks like Commissioner Fritz had a question about that specifically.

Fritz: Thank you, Mayor. I'm concerned about limiting testimony to two minutes. I realize there are 90-plus people signed up. On the other hand I'm getting a thousand emails a day so normally we would say please send in your testimony in writing but I cannot promise I would get to everyone's testimony on account of there's so much input on other issues right now. With 90 people if we were to allow three minutes we could still get through them in three hours. Two hearings. If you would please consider more lenience if people are on point and still have something new to say to allow them to go to three minutes. Thank you.

Wheeler: I certainly don't have any problem with that, Commissioners. I tend to be pretty lenient when it comes to the time frames particularly since everybody is still figuring out the technology here, but I will ask when we get to public testimony that people do try to respect the fact that there are many, many people who would like to be heard. We'll encourage people not to give repetitive testimony. It's okay just to say also agree on point x, without going into all of it. We'll just ask for that and I appreciate it.

Durbin: Thank you. We have heard from some comments we received so far that there's a lot of concern from the public that density is a contributing factor for a number of the COVID-19 cases while data shows otherwise. Clearly a city's design and development as well as social, economic and natural environment conditions affect public health outcomes and well-being of communities. As we're seeing every day and broadly acknowledging our history and systems have built-in inequities. When other factors that contribute to liveability

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and health are considered, living wages, educational opportunities, access to health care, affordable housing, dense housing is actually safer in pandemics than other areas. City may become the safest places to be during the next pandemic. Denser spaces make it easier to monitor health, track exposure, communicate risk and prevention strategies and rush prescription drugs to hot spots. I recognize the crisis has raised many concerns. We hope that as we discuss residential infill today that we will refrain from reducing a complex global pandemic to arguments for or against density. Finally, given our nation's crisis today rooted in racism, anti-blackness and white supremacy the city council's consideration of opening up single family zoning for middle housing options is an opportunity to demonstrate that we can right these wrongs. We can unbuild our unjust land use system. As the city of Portland looks for ways to demonstrate that we are going to talk less and act more adopting residential infill is that opportunity to create more inclusive neighborhoods, expand housing opportunities to more residents, provide safer access to schools, closer transit options. We cannot wait to undo past harms any longer. Now I would like to invite bps staff morgan tracy and sandra wood to present the amendments. Thank you.

Wheeler: Thank you. Good afternoon.

Morgan Tracy, Bureau of Planning and Sustainability: Good afternoon, mayor, members of city council. Hope that you are seeing my presentation. Is that correct?

Wheeler: Yes, we can. Thank you.

Tracy: I'm morgan tracy, project manager for the residential infill project. With me is sandra wood. [audio not understandable] joe zender chief planner as well as bob -- and kurt kreuger from pbot. Before we cover the more fine grain aspects of the subject matter I want to reiterate the framework for what the residential infill project achieves. It increases access to more types of housing in all Portland neighborhoods, allows for more units and lower prices on each lot. Applies new limits on scale and height and helps reduce displacement over all. Following your public hearings on january 15 and 16 and two work sessions january 29 and february 12 to review several potential amendments ideas staff has developed the following six recommendations for your consideration. My intention is to provide a short summary of all the amendments. This will help move through the staff presentation more quickly and allow more time for the public to testify. Before we begin I would like to note that the project documents that comprise the project record are included on the website at www.Portland.gov/bps/rep and are hereby entered into the official record. Amendment 1 includes four distinct parts. These are the most technical in nature and are necessary to address changes in the code package since the planning commission's vote last spring. They align code updates to reflect options by bear housing by design, individuals. [audio not understandable] match the multidwelling zones, eight map changes to reflect zoning changes as part of the 82nd avenue project. Clean up language consistency issues including cleanup to a correction where we changed how height would be measured in mixed use zones leaving the height method the same as it is today for those zones. Amendment package 2 responds to requirements in the recently passed house bill 2001. Currently duplexes are limited to corner lots and single dwelling zones. Planning commission's recommendation allows interior lot duplexes except in natural resource and hazard constrained areas identified by our z overlay. Hb 2001 expressed specified cities must allow duplex on each lot that allows for development of a house. This amendment aligns the residential infill project [audio not understandable] including those lots in the z overlay. It lifts the duplex restriction created for small flagged lots which only allowed for a house. Amendment package 3 includes code changes related to implementation of 534. This bills requires cities to allow at least one dwelling unit on existing platted lots. However it does provide certain constraints can exclude a lot to be considered buildable. Lots of record and lot remnants will continue to be subject to the same standards and mimd martina hinges al requirements that applied today. For the

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remainder they would be considered buildable unless the lot is steeply sloping, it's in the 100 year flood plain or within the environmental overlay zone. The fourth amendment package is about streamlining processes to make it easier and less costly to reconfigure narrow lots into wider lots. Currently when a property owner wants to convert three narrow into two wider lots a two-step process is needed. It adds time and cost to the whole process. This will combine both into a single replat process. This takes us to number 5. Number 5 is a nonzoning code amendment. You'll recall the planning and sustainability commission recommendation includes a limitation on three or more units when the site is on gravel streets like indicated here. At our last work session council gave bps instruction to explore infrastructure needs while furthering our climate and equity goals. In part because the cost of those improvements can sometimes be disproportionate to the level of impact meaning that the city is legally unable to require those improvements and also because when the improvements are built in the middle of unimproved streets it results in piecemeal improvements that don't connect efficiently to the overall system. Most commissioners weren't convinced and asked us to work with infrastructure bureaus to recommend the best possible. Our conclusion is the best solution is to work with pbot to expand local transportation improvement charge program to apply to three or more units on unimproved streets located in single dwelling zones. Therefore our recommendation is number 5 is a nonzoning code amendment. We will bring it separately for council review on June 10. That hearing starts at 4:00. The deeper affordable bonus was supported by many who testified during the public hearings. The proposed amendment would provide for larger far, a bit more height to allow three fill floors and up to six units when at least half the units are affordable to households earning up to 60% of median family income. Two units will be required to be visitable. 60% of the median family income works out to about \$1200 a month for a two bedroom apartment. For comparison the average rent in Portland for a two bedroom apartment including old and new construction is about \$1600 a month. Mortgage rates are closer to 2,000 a month. This represents the difference between a family earning 48,000 a year and a family earning 78,000 a year. Due to this level of rent restriction this bonus structure is generally infeasible for for-profit develop but nonprofits may benefit by being better able to compete for those properties. The final amendment recommends to historic resources more specifically conservation resources. Currently in historic districts, shown in blue here, demolition review is already required. However, in conservation districts the brown areas in and around Albina in these cases only 120 day delay is required prior to deconstruction. This is something that a forthcoming project from our bureau, the resources code project, will be evaluating. Number 7 puts in place restriction in the interim that when the resources are demolished these sites cannot build three or more units for a period of ten years. [audio not understandable] so for next steps, since it's likely we won't get through all of your testimony today, city council will hear the remaining testimony about the package of amendments on June 11 starting at 2:40 p.m. The record for written testimony will remain open until June 11 at 8:00 p.m. Council will return and vote on the amendments June 18. Staff will incorporate the approved changes for later in July. That concludes my presentation. I'll turn it back to you, mayor.

Wheeler: Thank you very much. I appreciate it. I know this is the result of countless hours of working with our infrastructure bureaus, our community members and organizations, and affordable housing developers. I want to just acknowledge I appreciate how much effort has gone into this amendment package. So colleagues, I have a question. Do I have a motion to move the residential infill projects amendment packages as a group for discussion in public testimony?

Hardesty: So moved.

Eudaly: Second.

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Wheeler: We have a motion and second. Any comments prior to -- we're going to keep that open. So it's moved and it is there. Thank you. We're going to get to the public testimony piece right now. We're going to begin public testimony. Each person will have, as we stated earlier, two minutes to testify, we'll be somewhat flexible but again, folks, given we have so many people who want to be heard and we want to hear everyone, believes keep your remarks as succinct as possible. I want to remind anyone who may be testifying as a lobbyist must declare which lobbying entity you're authorized to represent in accordance with title 2 of our city's code. Karla, kick us off, please.

Moore-Love: The first person is julie mets and she will be followed by david sweet.

Julia Mets: Good afternoon. I'm julia mets with cafeterias of Oregon. I'm also speaking on behalf of housing Oregon's Portland metropolitan council which you may recall consists of a diverse set of housing organizations from across the Portland metro area here to express support of amendment 6 deeper affordable infill options written testimony provides more detail but I would like to highlight positive impacts on our ability to provide affordable housing. While we acknowledge that the existing affordability bonuses do not require or inherently guarantee affordable housing as part of the residential infill project we would like to emphasize the important role these bonuses play in opening the door to an option that currently does not exist. As we have previously noted increased density translates to serving more households with less subsidy and/or households of lower income. An increase in far allowances in conjunction with increase in number of units allowed also provide a path forward for providing more family sized units per lot which are sorely needed. The modest increase in height allowance is also important to providing affordable housing developers with the flexibility to design and develop housing that responds to the needs and preferences of communities we serve. We look forward to ongoing dialogue about ways we can work with the city council to continue expanding affordable housing choices throughout the city. Mitigating displacement that has occurred and to be proactive in preventing future displacement. We're excited by the opportunities that will be provided through the residential infill project and proposed amendments but we know there will continue to be ways to take the discussion further. Especially if we continue to break down silos between city bureaus and departments. On a personal but related note I implore you to listen and truly hear the messages of protesters and the black community and leaders. We can do better. We have to do better. Thank you.

Wheeler: Thank you. We appreciate your testimony.

Moore-Love: Next is david sweet followed by nicole johnson.

Wheeler: Good afternoon, david.

David Sweet: Good afternoon. Thank you to the council for taking the time in this fraught period to hear this also important issue. I'm david sweet. I represent the cully association of neighbors and speaking for the entire cully community, I want to first thank commissioner eudaly, mayor wheeler, the entire council and the infrastructure bureaus for abandoning the infrastructure amendment. It would have prevented development of moderately priced housing on about half of cully's residential lots and led to more gentrification and displacement. Following that thanks to commissioner eudaly and the pbot staff for moving quickly to expand the local transportation infrastructure charge to include all developments in single dwelling zones. Cully needs it to be expanded for us to realize the benefits of residential infill. We also want to encourage you to adopt the deeper affordability bonus amendment. This amendment was created in collaboration with affordable housing developers who have said they can and will use it. Most of cully is zoned for single dwelling and this will allow affordable housing developers to compete for those lots and build more affordable housing in cully. Inclusive cully is our anti-displacement policy that we adopted over four years ago. The deeper affordability bonus amendment would help address more than half the goals that we established in that policy.

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One of those goals reads, encourage city agencies to develop and implement strategies to prevent displacement. We want to encourage you to continue your work on anti-displacement strategies. We note that residential infill is a residential and anti-displacement strategy and the deeper affordability bonus amendment is also but more should be done and the cully community looks forward to working with the city to develop and implement such strategies reserving the diversity that makes cully the special place that it is. Thank you.

Wheeler: Thank you, david. We appreciate it. Thanks for your testimony.

Moore-Love: Next is nicole johnson, followed by tony jordan.

Wheeler: Good afternoon, nicole.

Nicole Johnson: Hello. Good afternoon. Mayor, and Portland city council, i'm nicole johnson. I'm with 100 friends of Oregon and I would like to thank you for continuing your work on the residential infill project. As you may know thousand friends of Oregon seeks to create sustainable, vibrant and healthy livable communities. Our mission is working with Oregonians to enhance quality of life by building live urban and rural communities, protecting family farms and forests and conserving natural areas. As an organization we seek to support policy planning and advocacy that builds and improves Oregon's land use planning goal. Within these goals housing is addressed which cause -- units at price ranges and rent levels commensurate with the financial capabilities of Oregon households and allow flexibility of housing location, type and density. We support the package -- plan to be there to support them. Thank you.

Wheeler: Thank you. Appreciate it.

Moore-Love: Next is doug klotz followed by trisha patterson.

Doug Klotz: Hello. I'm doug klotz. I appreciate your attention to this important measure even in the middle of a national and international crisis. The residential infill project has been over five years in process. It will reduce displacement of low income tenants in the city and also reduce market rate housing prices at no cost to the public. The deeper affordability amendment number 6 sharply reduces per unit cost for developers who can then create below market housing on any lot. Amendments 1 to 4 are necessary fixes. I oppose amendment 7 which will result in luxury single family houses instead of the needed smaller, cheaper units when those lots are developed. I also support the path chosen with the Itic instead of amendment 5. The residential infill project reforms are only part of what the city needs to do. Please fund and implement a robust anti-deplacement strategy led by community experts such as paaof. Thanks to staff, psc, and council for your support over the years and I ask you to adopt the residential infill projects, amendments 1 to 4 and 6.

Wheeler: Thank you, doug.

Trisha Patterson: Hi. Hello. I'm trisha patterson. I'm speaking on behalf of Portland neighbors welcome. Portland neighbors welcome is a grass roots pro housing pro tenant organization. We are proud to testify as advocates for a holistic suite of policies that will address the housing crisis from multiple angles. Thank you for making the time for this issue amid this moment of national crisis. Portland neighbors welcome supports amendments 1 through 4 and amendment 6. We strongly oppose amendment 5 as originally proposed as well as amendments 7 through 17. 6 we enthusiastically support the compromise deeper affordability bonus and urge passage. It will facilitate homes for many phoenix who don't qualify for section 8 but also can't afford typical market rate housing. It allows for of to six much needed family homes on a single lot. On amendment 5 we really applaud council's decision to eliminate this amendment. It would have exacerbated displacement and exclusionary zoning by blocking your smaller less expensive homes in both displacement risk areas like cully and east Portland and affluent places like much of southwest Portland. We encourage efforts to find a long-term solution for sidewalk infill and shared street designs. In particular we're open to raising ltec fees as long as this doesn't

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incentivize more one and two unit infrastructures which are the most inefficient housing types. On 7 we oppose it as it would effectively block smaller, lower cost homes while doing nothing to incentivize adaptive reuse of historic resources and a major risk of this amendment is allowing a future council to potentially create new conservation districts as a way to preserve exclusivity. On the tabled amendments 8 through 17 we oppose them. They are unreasonable, unworkable. They undermine the fundamental purpose of rip and council was right to table them way back in february. They should remain tabled. Finally Portland neighbors welcome supports amendments 1 through 4 to ensure code functions well and complies with state law. We also support moving swiftly on topa after rip passes bypassing the residential infill with amendments 1 through 4 and 6 we can renounce the racist pattern of exclusionary zoning that has shaped our city for decades and open up our neighborhoods to more Portlanders with abundant and less expensive housing options yet as important as completion of the project is more action is needed. City-wide anti-displacement strategy, new funding to fight homelessness and build deeply affordable homes and zoning reforms to bring larger mixed income buildings near transit and jobs. We really look forward to working together on these in the future and we thank you so much for working so hard to get this right.

Wheeler: Thank you, trisha.

Moore-Love: Next is heidi hart followed by steven judkins.

Heidi Hart: Hi, mayor, commissioners. Thank you for listening to testimony during this time of national crisis. The deeper affordability amendment 6 is great because it reduces the cost per unit for developers to create below market housing in more areas. I also generally support residential infill project because it will reduce displacement while costing nothing to the public. Finally please continue working on better reforms including anti-displacement strategies led by community experts. Thank you.

Moore-Love: Next is steven judkins followed by daniel chandler cline.

Wheeler: Thank you.

Stephen Judkins: Hi, there. Thank you very much for making the time right now for this hearing. I wish I could say residential infill project would solve all of the problems in Portland is facing. I know it won't. This is a limited incremental step. But it's such a step in the right direction. Address our dual housing crisis, middle class being forced out and the loss of any affordable housing. Displacement of so many people from the city already in dire situation because of the pandemic. Addressing both these in concert is what we need to do to move forward. Build a coalition. With that I think it's really important that we include amendment 6 as part of this package making sure that deeply affordable housing developers are getting an advantage here and able to see developed housing that will help the most disadvantaged in the city. Really optimistic to see us go down this path and not follow something like the bay area or san francisco where the city becomes basically a playground for the rich. I appreciate your time very much. Thank you.

Wheeler: Thank you. Thanks, steven.

Moore-Love: Next is daniel chandler Klein followed by matt kelly.

Wheeler: Welcome.

Daniel Chandler-Klein: Good afternoon. I'm here today to support the residential infill proposal along with amendment 6, deeper affordability bonus amendment. In the summer of 2018 I started searching for a home in Portland to purchase. The vast majority of options were single family houses. Not only were they unaffordable to me also not the type of housing that I needed. I was able to find a garden apartment for sale in a ten-unit building. It provided me with the type of housing I needed. It was built in 1947 before middle density housing was banned in the majority of Portland. Because someday built this 73 years ago I was able to purchase a home within the city of Portland close to work, bars and restaurants, grocery stores and most importantly, public transit. Had this not been

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available I would have purchased on the outskirts of the city, driving my car to work every day adding to our already congested streets and freeways. Instead I bike to work every day. While amendment 6 would still not allow this it strikes a good balance between housing supply without changing neighborhoods to rapidly. It allows others to share in the wealth building opportunity of homeownership. I want everyone in Portland to have that same opportunity. I strongly encourage council to support amendment 6 in addition to 1 through 4. I would also like to encourage council to oppose amendment 7. It doing nothing to stop or reduce demolitions. [audio not understandable] the housing crisis is a crisis that affects each of us and it's up to every person and every neighborhood to do its part in providing more housing. We will not fix this issue if we limit it to only certain neighborhoods. Thank you for your time.

Wheeler: Thank you. Appreciate it.

Moore-Love: Next is matt kelly followed by david benning.

Matt Kelly: Good afternoon. I'm matt kelly. I am a city of Portland employee but the views I am expressing are my own and outside my work hours. I deeply appreciate you making the time for this important work. I really encourage you to support today's ordinance and the amendments that are supported by Portland neighbors welcome. The residential infill project is carefully crafted policy and involved a huge amount of public involvement and it's projected to reduce displacement and market rate housing costs at no cost to the public. I especially encourage you like many others today to support amendment 6 to allow for deeper affordability. This amendment reduces per unit cost for developers to create below market housing on any lot and this is good. It allows for deeper affordability in neighborhoods across the city. As important as it is, as many others have said it's one part of a solution to our housing problems and among other things we need to create a meaningful and funded anti-displacement strategy led by community experts. Thank you for supporting the residential infill project and thank you for continuing to work with community experts to ensure that everyone in our city has access to housing. Thank you.

Wheeler: Thanks, matt. Appreciate it.

Moore-Love: Next is david benning followed by brad baker.

Wheeler: Hi, david.

David Binnig: Hello. I'm david Binnig. I thank you, mayor and commissioners, for being here and for the years of work that have gone into this. I'm testifying to express support for the project and especially for amendment 6, deeper affordability bonus, which you've heard in previous testimony affordable housing providers have been asking for so they can make the best use of their resources for homes for people who need them. I appreciate commission ors eudaly and hardesty, the focus you brought to keeping affordability and displacement at the foreground of this conversation. I hope to [audio not understandable] right now I think the residential infill project is a necessary first step really just in getting the city out of its own way so the zoning rules are not actively shutting out more affordable homes. That's all I got to say today. Thanks for your time.

Wheeler: Thanks, david.

Moore-Love: Next is brad baker followed by aaron brown.

Wheeler: Welcome.

Brad Baker: Good afternoon, mayor, commissioners. I'm brad baker, chair of elliott neighborhood association land use and transportation committee. Thank you for your continuing to work on the project and moving it forward. We have sent many letters in support of rip and one recently on the proposed amendments. We ask that you please oppose amendment 5, support amend 7896, the deeper affordability bonus and you please oppose amendment 7. I particularly want to call out our opposition to 7 since our neighborhood contains elliott conservation district. While the intention of the amendment is

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historic preservation we worry it's misguided and out comes would not meet their intention more be beneficial for our neighborhood. Thank you.

Wheeler: Thank you.

Moore-Love: Next is aaron brown followed by donna cohen.

Aaron Brown: Good afternoon. Can you hear me?

Wheeler: Loud and clear.

Brown: I'm a renter living in the st. John's neighborhood of north Portland. There are more pressing reviews than address ago thoughtfully discussed zoning change for housing affordability and climate change so i'll be brief. Please vote in support of the residential infill project. Support amendment 6, please aggressively move forward with tenant protections. Please oppose amendment 7 and please allow me to live in a neighborhood with more neighbors. Please stop using teargas on peaceful protesters. I yield my time.

Wheeler: Thank you.

Moore-Love: Next is donna cohen followed by brian derek.

Donna Cohen: I'm donna cohen from st. John's. 15 years ago I was -- [audio not understandable] and it radically changed my life for the better. It allowed me to become a homeowner also. I fully support the deeper affordability amendment, also very important we allow people of mixed incomes to live throughout the city. All neighborhoods should share welcoming all residents. A while back I came to council during a general communications time to tell you about a reporter in houston I heard on npr. She was interviewing a woman about a plan for affordable housing in her middle class neighborhood. The woman said she didn't think folks would fit in her neighborhood and didn't want the housing there. About a minute later she talked about how she didn't understand those who say that everyone doesn't have the same opportunity. Boy. Let's not let those people determine Portland's housing policy. The deeper affordability amendment [audio not understandable] increased housing prices. We need to continue to find more sources of funding for affordable housing, rental assistance and houseless programs. Let's keep working to solve these issues. Thank you.

Wheeler: Thank you, donna.

Moore-Love: Next is leon porter followed by james austink.

Leon Porter: Hi. I'm leon porter. I support rip, amendments 1, 2, 3, 4 and 6. Please reject amendment 7 which would prohibit development of smallplexes or adus on any lot where an historic resource was demolished in the past ten years. The problem is smallplexes and adus are the maim form of less expensive housing that will be allowed. In Portland's designated historic resources are disproportionately located in wealthy neighborhoods. Amendment 7 would make it especially hard to add less expensive housing in Portland's most exclusionary area. It state and city regulations make most internal conversions prohibitively difficult and expensive. It's puzzling that amend many 7 could allow an older home to be demolished and replaced with a far more expensive new single family home that only the rich could afford but wouldn't allow that same older home to be replaced with housing for several families of middle or lower income. Amendment 7 does not preserve many historic resources but would ensure only the most exclusive homes are built to replace historic resources in the most exclusive neighborhoods. If our goal is historic preservation without economic exclusion, it would make more sense to turn amendment 7 on its head. Prohibit new single family homes on lots where historic resources have been demolished but allow smallplexes with less expensive homes to be built on those lots instead. That's all. Thanks for your time.

Wheeler: Thank you. Appreciate it.

Moore-Love: Next is james followed by mary vogel.

James Ofsink: Hello. Thank you, mayor wheeler, members of the council, for hearing us today. I'm involved in numerous civic organizations but today i'm speaking in a personal

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capacity. I'm testify in be support of the residential infill project encouraging you to see the future of the city as a compact and walkable place where there's housing affordable to all Portlanders at every income level an where everyone can living in walkable and connected community. I'm a resident of southeast Portland. I ran for office in 2016 and knocked on thousands of doors and there's really something special about the neighborhoods where there was infill historically, the garden apartment complexes or buildings that have been -- victorian or something divided to multiple units you can feel a deeper sense of community there and neighbors who know and love each other. I have also seen within my own direct neighborhood I live sully off division, and I love all of the new influx of neighbors and businesses and thriving activity. I have also seen the darker side of our current code system. Several houses in my block older homes that were smaller were taken down, demolished, then put up with much more expensive single family homes on the same lot. Thus displacing former neighbors, getting rid of naturally affordable housing replacing neighborhood with older, wealthier, whiter community members. Specifically with respect to the issues at hand I want to express my support for amendments 1 through 4. It will create more houses at lower prices and welcome neighborhoods everywhere across our great city. I strongly support 6 and the deeper affordability. I oppose amendment 7 which would not lead to reuse but instead to more expensive homes like we see already. I want to thank the council for removing amendment 5. In summary when I think ahead to the Portland of the future it's a legacy being created here and now with these decisions I think this project with the amendments discussed takes important first steps towards creating diverse, affordable, connected Portland of the future. Thank you for your consideration and I hope that you'll pass it as amended.

Wheeler: James, can you just quickly which amendments just number the ones you supported and the ones you do not?

Ofsink: Support 1 through 4 and 6. Don't support amendment 7 and thank council for removing consideration of amendment 5.

Wheeler: Got it. Appreciate it.

Moore-Love: We'll hear from mary vogel then michael anderson.

Wheeler: Hi, mary.

Mary Vogel: Hi, mayor. And commissioners. I'm mary vogel, principal of plan green and co-founder of Portland small developer alliance. After the events of this week I hope the amendments before you as well as rip itself can play a small role in allaying some pent-up anger at a system that especially excludes black americans. In consideration of the march 10 testimony about unequal impact of rip on african-american historic resources, we do not suggest eliminating amendment 7, though we feel it has an enormous loophole. Could it instead apply only to the area that was part of the 1993 albina plan? This way wealthy neighborhoods with historic designations won't be able to weasel out of providing more housing choice as those testifying against the amendment 7 fear. If the goal is to encourage adaptive reuse of historic resources the city needs to provide building code changes and appropriate incentives to ensure their success. In pfda's february 13 testimony garland woodsong had in-depth suggestions for regulatory changes. It covered building code classifications, then such common items in Oregon state building code as fire sprinklers, window openings, and insulation that make it very difficult and expensive to do internal conversion of existing homes. Portland city code largely obstructs adaptive reuse of large single family homes for group living as well. We are aware that city staff is already working to change some of these regulations of both state and local level and we hope we can coalesce folks to support the city efforts in the building code change process as soon as you pass rip. Continued work on such changes as well as incentives will make it economically feasible to adapt and reuse historic homes at reduced costs without any sacrifices to safety or health. We have commented on amendment 6 in other testimonies

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on map app and orally as well. So i'm going to just leave it at this in terms of amendment 7.

Wheeler: Thank you, mary. Appreciate it.

Vogel: Thank you.

Moore-Love: Next is michael anderson followed by robert hemphill.

Wheeler: Hi, michael.

Michael Anderson: Good afternoon. Thanks for taking time in this pivotal moment for attention to this structural issue. I'm a senior researcher on housing and transportation -- [audio not understandable] we strongly support the residential infill project, amendment and deeper affordability amendment 6 for reasons others have specified. I want to share research on the pandemic. In thinking about this issue it's useful to distinguish between residential density and residential crowding, people per bedroom. The experiences of taipei, tokyo and seoul clearly show homes per acre is not a primary indicator of infection risk. The publication inside housing published an enlightening analysis showing a strong relationship between fatalities and the number of people per bedroom in a given home this. Underscores what we know about the coronavirus, a huge share of infections occur indoors among members of the same household. According to pugh research american householders identifying as asian, black and hispanic are almost twice as likely as white people to live in multi generational households. [audio not understandable] to protect the life of a loved one means more than it always does. This project and amendments promise to make living space more affordability to more people. It will make us more resilient for the next pandemic as it will prepare us for so many more trials to come. Thank you.

Wheeler: Thank you, michael. Appreciate it.

Moore-Love: Next is robert hemphill followed by ady leverage.

Robert Hemphill: Good afternoon, councilors. I'm a renter in the kerns neighborhood. I know there's a lot calling your attention now. I'm here to reiterate my support and to add to my testimony that of Portland neighbors welcome and thousand friends of Oregon in supporting the technical amendments, 6 and opposed 7. I want to say exclusive zoning has long been used for racial segregation purposes from inception, from the initial chinese laundry exclusion act. While passing rip won't right all wrongs it's a step ford ward in dismantling racist exclusion. [audio not understandable] I want to urge you to do the same. That includes meaningful anti-displacement strategy led by the at risk community. So rip is a long awaited reform. Amendment 6 reflects the possibility of delivering real affordable units at little cost to the public. 7 jeopardizes the benefits to everyone and opening loopholes for future exclusion around our city. Thank you for your time.

Wheeler: Thanks a lot, robert.

Moore-Love: Next is ady followed by nolan leonhart.

Ady Leverette: Hi, i'm ady leverage here on behalf of business for better Portland. I started writing this testimony three months ago when this hearing was scheduled. I don't think any of us could have imagined how extremely the world would change. March feels like another dimension and we're not going back to normal. That's a good thing because our old normal is one in which safety, justice and opportunity are benefits of privilege. We refuse to go back to that normal. [audio not understandable]

Wheeler: Can you do me a favor? We're not hearing you. You're breaking up. Or is it just my computer. Is she breaking up to you? Your screen is off. Try again. Let's see if we can get better reception.

Leverette: Sorry, yeah. You were breaking up too. Is this better?

Wheeler: Much. Thank you.

Leverette: Should I start over?

Wheeler: Start over. That's fine.

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Leverette: I started this writing three months ago when this hearings was originally scheduled. I don't think any of us could have imagined how extremely the world would change. March feels like another dimension and it's starting to dawn on us that we are not ever going back to normal but we know that's a good thing because our old normal is one in which safety, justice and opportunity are benefits of privilege rather than universal rights. It's up to all of us to embrace our role in shaping the next normal. The question of how to amend the residential infill project seems small but by small I don't mean inconsequential I mean comparatively easy. Improving the policy to make it legal for more people to reasonably gain access to the amenities and opportunities of our city should be an easy decision to make. So while we're living in 2020 but somehow also 1919 and 1929 and 1968, let's not remain stuck in 1924 to 1959 when the exclusionary zoning policy whose spent was to discriminate against nonwhite Portlanders was established in the vast majority of our neighborhoods. Business for better Portland applauds you for working with the community to find a solution. We strongly support the deeper affordability bonus to help provide more affordable housing for people who need it.

Who are the people who need it. The so-called essential workers, teachers and firefighters, restaurant staff, they are mechanics, graphic designer, copyrighters, it's critical all Portlanders continue to have housing options in all neighborhoods to avoid the negative impacts of displacement and sprawl. As we all grapple with the historic nature of these times, i'm sure your jobs have never felt bigger. Thank you for taking the time today to take a small step for making increased housing opportunities part of Portland's next normal. thanks, appreciate it very much.

Moore-Love: next is nolan lienhart, followed by harrington.

Wheeler: Hi, nolan.

Nolan Lienhart: i'm grateful for the opportunity to reiterate my support for the infill project. It's represents an important project to reduce displacement of low-income tenants and also reduce market rate housing prices. I support the comments made by Portland neighbors, but I want to express particularly support for the affordability amendment to sharply reduce the per unit cost to create below market housing, I want to express my strong opposition to amendment 7, which would continue to prioritize expensive housing at the expense of low income housing and residents. I specifically reject the argument that we are somehow honoring the displaced african-american community by erecting barriers to housing most people can afford. I hope you'll act quickly as the first of many steps our city must take to increase access to housing and opportunity for all Portlanders.

Wheeler: Thank you very much, nolan.

Moore-Love: next cameron harrington, followed by ezra hammer.

Cameron Harrington: good afternoon, mayor and members of the council. I'm a registered lobbyist with -- also speaking on behalf of the kelly housing action team, a grassroots community organizing group that kelly supports, we strongly support the residential infill project and its goal of -- dwelling zones. But for this code change to truly advance racial equity, rather than simply adding housing supply, it must be accompanied by measures. That? . outlined and written testimony for our organization along with several allies, this past january. One of those is being considered today, the dear affordability amendment, which we strongly support. We encourage council to move forward. And ensure long term stability for renters. On that last point, we are very proud to share our support for a tenant-led process to develop a tenant opportunity to purchase policy for Portland. A top policy would give all renters including those living in single dwelling zones, the right to receive advance notice if the homes will be sold or redeveloped and a pathway to purchase their own homes or decide for themselves if they would like to work with a nonprofit partner to keep their home affordable for the long run. Tenants deserve more

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transparency and a right to collect a decision-making when it comes to the future of their homes and that needs to apply to renters in single dwelling zones. So we do support residential infill project, strongly support the deeper affordability amendment and look forward to working with you all over the coming months to center and prioritize the voices of black indigenous and people of color renters as we develop a tenant opportunity to purchase ordinance that will provide greater stability for renters citywide. Thank you.

Wheeler: Appreciate it, thanks, cameron. I'm sorry, commissioner Fritz has her hand up.

Fritz: Thank you. I just wanted to respond to the previous -- thank you, everybody, for testifying, in response to the testifier before last who greeted the mayor, commissioner hardesty and not me, I just wanted to note I am part first experience some digital divide, although I am -- have the privilege of a smartphone and a computer, I do not have audio or video on my computer. I'm watching, I can see the presentations and just want to let people know I am paying attention, thanks.

Wheeler: Thank you, commissioner Fritz.

Moore-Love: next ezra hammer, followed by raymond cunningham.

Wheeler: Ezra, good afternoon.

ezra, this is sandra, sent me an e-mail saying he would like to testify next week.

Wheeler: Okay, thank you.

Moore-Love: then we'll go with raymond cunningham, followed by luke norman.

Raymond Cunningham: all right, hello, everyone and good afternoon and thank you for the opportunity to speak before you all today especially during this national crisis, i'm here to testify in favor of the residential infill projects and amendments 1 through had and amendment 6. Of will greatly help to reduce the per-unit cost for developers and create opportunities for below market housing on all lots. Additionally I hope you reject amendment 7 as this will carve out several high opportunity neighborhoods from developing more affordable housing than an average Portland household can afford, while these amendments might seem isolated reckoning our nation is facing today, they are not. This project will help address the demands protestors in our streets are making for our society to address institutional racism and inequality. This has been historically used to help contribute to inequities that permeate all parts of our society. While this project is not the only policy our city will need to pass to correct these wrongs, it is a step in the right direction to dismantling our racist institutions that uphold white supremacy. I urge you all to approve the residential infill project as well as amendments 9 through 4 and 6 and then I strongly urge you also reject amendment 7. Thank you.

Wheeler: Thanks, raymond.

Moore-Love: next luke norman and followed by chris blackmoore.

Luke Norman: hello, mayor and commissioners, i'm luke norman. I am a member of the northeast coalition of neighborhood board here to speak on their behalf. Northeast coalition neighborhood strongly support the residential infill project as it supports the 2035 comprehensive planned vision to increase the amount of affordable housing across our neighborhoods. Regarding the amendments, that are before council today, we support amendment no. 6, to allow the creation of affordable housing with six plexes with half of those units affordable to residents affordable. We think this would be a great pilot opportunity for the affordable housing bond that recently have been passed in Portland and by metro. And great way of encouraging nonprofit developers to support this work. We encourage council not to stop here but to continue with the implementation of the anti-displacement action plan, this is important to protect our existing residents and would like council to look at multiple innovative opportunities including ways to support the right to remain for residents in our neighborhoods. We believe that with rip, it's a great and important first step to ensure residents of all income levels. thank you.

Wheeler: Thank you, appreciate it.

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Moore-Love: Next is Chris Blackmore followed by Anna Kemper.

Chris Blackmore: Good afternoon, Mayor and Commissioners, I'm Chris Blackmore. I appreciate you taking the time to hear public comment on a zoning issue during this historic national moment. With that in mind, I will be brief. Single family zoning is racist and exclusionary. This is a good time to get rid of it. The residential infill project isn't the solution to the crisis facing our housing system, but it is one structural step we can take right now. I support amendments 1 through 4 as well as 6, the deeper affordability bonus, and amendment 7. I ask that the Council pass and then continue this vital work on housing with local community leaders to develop robust anti-displacement policy, thank you.

Wheeler: Thanks, Chris.

Moore-Love: Next Anna Kemper followed by Anna Azizkhani.

Anna Kemper: Thank you, I'm speaking today on behalf of Sunrise PDX, Youth Climate Justice Movement with hubs around the country, my comments today come from a climate as well as a racial justice perspective. Oregon's housing policy has been incredibly racist past with a history of red lining and gentrification. And in light of the recent protests and the response to the murder of George Floyd, we have got to recognize racism and inequities when we discuss housing policy improvements. Overall, the residential infill project is a well-crafted and long-awaited reform which should replace the communities in Portland while reducing our city's carbon emissions. It makes our city safer and more equitable and healthier for everyone. Sunrise is strongly in favor of amendments 1-4 and especially 6, the deeper affordability bonus, but we cannot stop there. We need justice for Black and brown community members who have been systemically displaced in this city, thank you for your time today, I hope we can wrap up this meeting quickly so we can spend more time addressing the police brutality we experienced here.

Ana Azizkhani: Hi. Can you hear me?

Wheeler: Yeah, loud and clear, thanks.

Azizkhani: I'm Anna Azizkhani. I want to just start by thanking Commissioner Harsh Desai on her comments today about the excessive police violence and the tear gas against protestors. As a peaceful protestor, I am disappointed there hasn't been a stronger, clear unified message among our city's leadership addressing this issue, and everything that needs to happen within the Portland Police Bureau. At first I didn't want to address RIP during this time of civil unrest, but after thinking about it, it is the perfect time, because RIP is racist, classist policy in disguise, I disagree it is an anti-displacement strategy and I disagree single family housing zoning is racist. I definitely understand it has been in the past, but the way that RIP is written right now, it's going to continue that racist policy. RIP will destroy communities of color, developers will come by the last of all the affordable homes and replace them with expensive duplex and triplexes and more. Smaller doesn't mean it will be more affordable, in my neighborhood, single family homes are torn down and multi units are being put up and they're empty because they're not affordable, we need amendments that are going to deter the demolition of sound, stable and affordable housing, that is what will deter displacement. The RIP displacement study that was done was flawed because it did not take into account any induced displacement which looks at the effects of upzoning and gentrification, that is what has the racist and classist implications. Also, RIP will encourage corporate ownership of Portland's real estate. Communities of color need to be encouraged to buy property. That is how we create generational wealth. Who is going to own a quarter of a quadplex, nobody. A corporate or out of state owner will own the entire thing, it will perpetuate the cycle of keeping people as renters, it will tell communities of color and low income neighborhoods we are not good enough to have a canopy and yard and only rich neighborhoods can have those things, none of the amendments address any of those things. The real problem is not shortage of housing, we have thousands of empty units here in Portland, the real problem is not

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shortage of land. It allots for over 200,000 new units. The real problem is housing affordability, and the cause of that housing affordability crisis is a global trend of private equity trend that buy up residential real estate every where. Rip will make it more attractive for them to do that in Portland, it will add to the problem and at the same time displace our vulnerable black, brown, lower income and elderly communities, isn't it interesting andre bowel, the only black man on the planning and sustainability commission, voted against rip because he thought two destroy the communities of color. He said it was a racist policy. I urge you to listen to him and not sell our city out to white, rich developers, thank you.

Wheeler: Thank you, Ana.

John Liu: sorry for my bobble there. So we -- everybody knows in a pandemic, we are in an economic depression, i'll follow on what w what anna said, this is the worst possible time when you would want to accelerate displacement to build expensive housing. We are basically in for a repeat of 2008, 2009, but much worse. People struggled to pay their mortgages and rent, they get evicted, speculators and developers grab that property. They redevelop it with expensive housing or it goes into enormous in a hospital portfolios of rental housing. And they brag about raising rents by 7 percent year over year, those who are evicted or lower income, communities of color and never, ever get to come back. Rip will just accelerate that. What it does, makes property more valuable, right? The more development rights you have, the more valuable the property is. That gives people an incentive to get rid of the existing occupants and sell and redevelop. So in the history of rip, I and many others have asked council to fix this, not to reject rip. To fix rip by requiring that in all rip development, one unit, at least, be affordable, whether it's a duplex -- so the council has rejected that. Rip continues to permit the \$1 million duplex units. The quad plex units. We asked council to slow rip down until there's an actual effective and well funded anti-displacement plan. There is still no anti-displacement plan and the huge hole blown in our city budget means there will be no funding for a really effective anti-displacement plan in the next couple of years, there just won't be the money. And during this time period, Portland will be at the mercy of developers, the response we have always gotten, both from council staff and from the bureau is -- i'm doing air quotes here, you're wrong, rip will benefit low income families and reduce displacement and reduce gentrification. The last thing we did, met with commissioner eudaly's office and asked for another amendment and said, can you ask the city to at least carefully monitor and public report the effects that rip has over the coming years. Right? Accurately track what gets demolished, what gets built, the price and size of each and try to assess demographics of the people who are displaced versus the people who get to benefit. That request has also not received action. So as what is probably going to be my final attempt to not reject rip, but fix rip, I would ask someone in the council to bring forward what i'm calling a monitor and report amendment. The idea is in several years, we can all come back with real data to show how well has rip worked. If it turns how the it needs to be fixed, we'll have the data to do it. We'll come back in ten years and we'll say oh, my gosh, Portland has been gentrified even worse, even fewer communities of color here. What can -- what did rip do, the bureau will say, we don't have the data.

Moore-Love: time.

Wheeler: Thank you and just a note on that, the council did not reject the mandatory affordable housing unit as a part of a four plex, the state prohibits a local jurisdiction from requiring this. I wasn't about intent. Commissioner hardesty.

Hardesty: I wanted to say -- I speak for myself, I have no intentions of waiting ten years to see the effect of rip. We as a council have the opportunity every year to have updates on what's working and what isn't and to change it as we move forward. It is my belief once we have completed this long multi-year process, we will put in place a system so that we are annually getting reports on what's working and what isn't. So do not feel like just because

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you don't see an amendment, we aren't interested in tracking and making sure that we are getting exactly what we want to get out of rip. Thank you so much for your testimony.

Wheeler: Commissioner Eudaly would like to speak as well.

Eudaly: Thank you, mayor. This is a conversation that I have had with bps and repeatedly expressed my concerns, despite their best intention we may not see the type of housing we are trying to generate numbers we are trying to generate and I want an annual report. So there may be an amendment forthcoming. I haven't lost sight of that and I've worked very closely with community advocates to advance anti-displacement measures, and I've never backed away from that. So thank you.

Wheeler: Thank you, commissioner.

Brooke Best: can you hear me all right.

Wheeler: Yes.

Best: I'm a member of the architectural heritage center's advocacy committee. I did submit written testimony on the deeper affordability bounce amendment, I'll focus on the historic resources amendment. So we strongly support this amendment that disincentivizes demolition for sites with historic buildings and its parallel for the one developed for multi-dwelling zones in the better housing by design, consistent with the comp plans policy 4.17. As proposed, it only applied to contributing buildings. It doesn't apply to all the majority of the ranked resources, those that have been designated as significant in the historic resource inventory, not landmarks or located in any districts. On a personal note, I support very strongly the comments presented by both Anna and John of PCHR, of which I'm also a member, and I strongly support the request for a monitor and report amendment. I share their sentiments about RIP and appreciate eloquence on unintended consequences of RIP, which will impact Portland's livability while having no measurable impact on affordability, housing for families thank you for this opportunity during these very challenging times, we are taking on a really complicated subject, and I think you guys have done a terrific job.

Wheeler: Thank you, Brooke, that's appreciated. Commissioner Fritz.

Fritz: Thank you, mayor. Thank you, for your testimony, Brooke, I wanted to remind you alluded to the better housing by design restriction, and in that project, we decided that we were going to have more work done on historic inventory. The challenge with both amendment 7 and the monitoring is once you've given, you can't without paying for it. It becomes a taking under land use law, it would be better in my mind to move slowly while we have some questions because once it's done, it's done. Thank you. For.

Wheeler: Thank you, commissioner Fritz, next individual.

Susan Lindsay: I'm Susan Lindsey, and I've come to talk to you several times before, two words to say, West Hills, it's interesting to me to hear so many speakers talk about the need to get the residential infill project in place and going in order to bust up the privileges within the city of Portland in terms of housing and yet to continue so large swaths of West Hills, historically the power, wealth and influence of the city of Portland excluded from the residential infill project, even the properties that are -- many of the R7's that might be eligible or excluded because it falls under a national resource zone. I am discouraged by this because I believe so many not from Portland, and I am not from Portland, do not know the history of where the power base of the city of Portland is. At the not all out over the east side, subject to the changes that will take place for this project many of which I believe strongly many affordable properties will be torn down, will be replaced with unaffordable rentals or plexes and that what we will see is displacement, we will see loss of opportunity for people of lower means, to be able to stay in the city of Portland and to be able to afford a home and at the same time the West Hills and their single family homes on their R10 properties or R7's with small natural resource overlays will be protected from this density. Best test scores, lowest crime, and yet were written out of that, if this isn't racist

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products being continued, I don't know what it is. I've come before you guys, I went before the planning commission and brought this up endlessly, and thank you for listening.

Wheeler: thank you, we appreciate it, susan.

Moore-Love: next is eric lindsey, followed by paul frasier.

Eric Lindsay: i'm eric lindsey, I want to say thank you to council and staff for the really hard work of crafting the residential infill project and thank you for taking the time in the midst of both the pandemic and really important calls for justice ringing out in Portland and across the country I am speaking to urge you to pass the rip, unlike a lot of people and maybe not very popularly, i'm a builder, one of the things particularly important to me, amendment no. 6, the deeper affordability amendment. As I know firsthand how important it is to reduce pers unit development costs for new, affordable housing. I also strongly oppose no. 7 for reasons that others have already elucidated. One other thing wanted to mention, obviously rip is not the last thing that's needed. It's just one step along the way. And after the passage of rip, I really hope that the city will turn to meaningful anti-displacements policies that have both teeth and funding, as a landlord and asset manager, I often see ways in which renters are never given the opportunity to gain more control or ownership over their homes, I want to encourage the city to move with deliberate speed to enact the tenant opportunity to purchase being proposed by living kelly. Thank you for the excellent work you are doing.

Wheeler: Thank you, we appreciate it very much, eric.

Paul Frazier: thank you to the mayor and the commissioners. I'm paul frasier, residential infill project is a carefully crafted, long awaited reform project, a start and only a start. Please do not stop here, these reforms are only part of what the city must do, including a meaningful and funded anti-displacement strategy I reject 7, support 1 through 4 and 6. Historic housing is a madeup idea. If we honored it, there would be no houses, just trees for the birds and the deer. Deeper affordability is key, make it as incentivize as possible and be open to egg ma it better. I'm the water can guy, can't see my, it's like buying cans of sparkling water, when offered an incentive, I buy many, without an incentive, I only buy one, we can use incentives to get affordable housing, we need more housing than ever, we need more tax revenue more than ever, perhaps we could use the tax revenue to fund the body camera program or take some tear gas and flash bang budget, which made me cry on sunday, I could see a cloud coming from the square last night. Don't be afraid of quad plexes, on a corner lot near me, four families can now live where one house used to stand, it creates more total units, we need them. Get creative to fund body cameras, black lives marty and the police keep lying, we need the tape, every day we wait, more single family homes get built. The status quo allows one to one demolitions with rip, we create more units instead of just getting larger houses, thank you to commissioner Fritz for your many years of service, I mean that. I've listened to your comments and i'd like you to ask for solutions instead of problems. It's been a while, but your concerns about sear pipes stuck with me ideally we won't have more cars if we are hitting our city's climate goals, I yield my time.

Wheeler: thanks, palm, for your perspective. Commissioner Fritz.

Fritz: I've offered solutions, and they haven't been accepted. That's why i'm still concerned about this, thank you for your testimony.

Wheeler: Thank you, commissioner.

Neon Brooks: hi there. Thanks for the last speaker, i'll agree with a lot of what he said, my testimony is less polished because of everything that is going on. I'm neon brooks, currently at a member at large of grant park neighborhood association, I grew up in a northeast Portland, mostly the concordia and king neighborhoods, and I just, you know, watching those neighborhoods transform and become so unaffordable over time, you know, I feel like i'm seeing opportunities denied to children such as me and future

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generations, and now grant park neighborhood, we desperately need more diversity, more affordability, so these neighborhoods are available and accessible to a full range of people, I think all neighborhoods benefit from having mixed affordability and incomes, and people - - also not just very, you know, having single people living in those neighborhoods, teachers being able to form homes in the neighborhood and so forth. Not to mention the climate benefits of higher density housing, especially close where transit -- so I strongly am in favor of finally passing rip, in favor of the deeper affordability amendment, continuing to work on this issue, this is not a silver bullet. Banning tear gas, thank you very much.

Wheeler: Thank you for your perspective, I appreciate it.

Wheeler: Good afternoon.

Charlie Burr: good afternoon, mayor wheeler and commissioners, I am charley burr, I live in the king neighborhood, i'm here with my daughter, this is today's civics class. So she is a tubman 6th grader, and we are here to strongly endorse rip, and specifically the deeper affordability bonus amendment, she'll be my time keeper, i'll keep it short and sweet, this is an important step to stabilize costs to have a good policy for this environment that willower per capita energy usage and will just make it easier to have affordable places close to transit. Finally, this is going to lead to good neighborhood design, we are strongly in favor of it, we appreciate all of the work that has gone into it. Thousands and thousands of hours, so please pass it. And yes on amendment 6. Also opposed to amendment 7 that moves us in the wrong direction, I also appreciate the previous comments made by. We are in our guest house adu, and although it wasn't the original intent of the structure, we were able to lend our current adu out to a local doctor who needed to self-quarantine for the past month and a half. So having more housing choices can be an important part of our community's resilience, thank you for the work you've done to get us this far, and this is certainly part of an ongoing effort, and I appreciate the significance. Marian, do you want to add anything.

Marian Burr: let's keep Portland accessible to everyone.

Charlie Burr: good job, thank you very much.

Wheeler: Thank you, charley, marian, thank you very much. Commissioner hardesty.

Hardesty: Thank you, mayor. Thank you, charley. I want to ask your daughter, what grade are you in?

Marian Burr: i'm in 6th grade.

Hardesty: And do you have a diversity of students in your class?

Marian Burr: yes. Since tubman was built, it was originally founded in the 19 huns, there's a huge diversity of students.

Hardesty: Do you enjoy going to a school diverse from all over the world.

Marian Burr: I get to learn about other cultures, it's better than my other school, sabin, which only had a handful of african-americans and latinas and it was basically mostly better.

Hardesty: Your dad did an excellent job of teaching you about rip and what the impacts of rip will be in your neighborhood, because I know your daddy and your daddy's daddy. Go ahead, charlie.

Charlie Burr: I want to say, thank god for all the teachers out there, because this stuff has been really hard, here's to keeping it affordable for all the teachers that live in this neighborhood.

Hardesty: I want to appreciate you bringing your daughter and having her see our democracy at work, even if it is virtually, it's an opportunity, we are always pleased to have young people participate in our city council meetings, so thank you both. And enjoy the rest of your sunny day.

Charlie Burr: thanks so much.

Marian Burr: thank you.

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Wheeler: Thank you both, thank you commissioner.

Moore-Love: next is charley burr.

Wheeler: Charley just spoke.

Moore-Love: I'm sorry what was that.

Wheeler: Charley just spoke.

Moore-Love: Oh I'm sorry, next is Nick Buri, followed by Xiong Coua

Wheeler: Nick, welcome.

Nick Buri: My name is Nick Buri, i'm an organizer with sunrise pdx. There are a lot of issues we need to be discussing right now, achieve among them the pollute al policing tactics, rip needs attention as well. It is one of many essential tools for fighting climate crisis, that's why sunrise pdx is here to support the residential infill project and the amendments by Portland neighbors welcome. Rip is a crucial foundational step in undoing some of the harms of the Portland evers racist housing codes, adding much needed density. Adding affordability. To that ed, we need to pass amendments 1-4 and ensure amendments 5, 7 and 8 through 17 remain out of it final project. Most importantly, we need to make sure amendment 6, the deeper affordability bonus gets passed, we need to ensure the solutions we implement to fight the climb art equitable and don't leave out marginalized communities, amendment 6 brings us closer to that goal and be ensuring it isn't just a luxury housing giveaway from developers. All that said, passing this project even in the best possible condition is not enough. We need to use this momentum to surge forward on anti-displacement policies, building more deeply affordable homes, allowing mixed income buildings. Rip is a great step, but it needs to be the first of many, stop gassing peaceful protestors, thank you for your time.

Wheeler: Thank you.

Moore-Love: Next is Coua Xiong, followed by Tamara DeRidder.

Wheeler: Are you on board? , tamara?

Tamara DeRidder: I am now.

Wheeler: Thank you, welcome.

DeRidder: thank you for having me. My name is tamara derider, i'm actually testifying on behalf of the rose city park neighborhood association tonight, I wanted to say that we virtually met yesterday and reaffirmed our letter of march 4 and added an addendum. The march 4 letter includes opposing the city council's proposed amendments that were dated in february, we have not had a chance to meet since then. Supporting the findings and conclusions contained in this letter, that document the failure of the rip to comply with the policies and growth concepts in the 2035 comprehensive plan, those include allowing 4 to 6 units on a typical r5 lot 50 by 100, allows multi-family dwellings to be constructed on the same, beyond walking distance. Higher frequency transit fails to support the tsp and the plan growth concepts. We request that the city council remand the rip back to the planning sustainability commission to correct these errors. The addendums is if rip is implemented, then let's make it truly a measure for affordable housing and equitable housing, the board agrees at this time that the 80 mfi, median family income, housing to be provided with all these new dwellings be 60 mfi. That is because during the time of covid, we have seen enormous gut punch to our economy, as well as people's incomes, and we need to address creep in those housing for the greatest need in our community. If the city council refuses to proceed with rip, please update your economic reports, place the multi-family dwelling units along corridors and centers and make all new units available at 60 mfi. Thank you so much.

Wheeler: Thank you and Karla, I notice in the chat, maybe -- having troubles un-muting, maybe a phone call.

Moore-Love: She'll try to get back on and we'll get her renumbered.

Wheeler: I appreciate that, thank you. Thank you for your team.

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Moore-Love: next andrew goodell, followed by tim davis.

Wheeler: Hi, andrew.

Andrew Goodell: hi. A good afternoon. Mayor and commissioners, can you hear me.

Wheeler: Yeah.

Goodell: thanks for your time, especially now, i'm andy goodell. I support the residential infill project and the proposed amendments 1-4 and 6 and i'm against 7. I believe in housing as a human right and I think that Portland as a progressive city can and should end exclusionary zoning and bring about abundant housing. The deeper affordability bonus would probably go a long way towards this as we have heard from these housing nonprofits. Anyway, the best time to build small plexes, duplexes and affordable housing throughout Portland was 30 years ago, 40 years ago, but we didn't do it. So, you know, these things aren't -- we are not going to catch up overnight, but I think that rip would be an important step in that direction, again, thank you for your time.

Wheeler: Thank you very much, andrew, appreciate your perspective.

Moore-Love: we have Xiong on line now, we'll go with her, then followed by tim davis.

Wheeler: Karla, after this, could we get a check to make sure between this session and the next one we are on track given that we have a hard out of 5:00 a today.

Coua Xing: hello, can everybody hear me.

Wheeler: Yes, sorry about the technical difficulties.

Xing: my apologies. Thank you, I am here on behalf of the asian pacific american network of Oregon, to express our support for using the residential infill project as one way to establish new truly affordable housing in Portland. I want to echo the ask from our partners, community tenants and living kelly, I believe they will be testifying next meeting. First, I want to thank you for making time for this meeting and acknowledge that antiblackness has permeated every system in this country including housing. And we must center black lives in this work and continue to work alongside the black community. We have long prioritized inclusive neighborhoods and prevented displacement through community development advocacy and ten apt organizing in the j district. In the j district we have a large number of renters who live with multi generational families, the residential infill project is one way to begin after exploring affordable housing for multi-generational families. With discussions in our communities, their housing needs require a neighborhood design that allows for density and a pathway to truly affordable housing, we want to uplift in adding components of the tenant opportunity to purchase and right of first refusal to ensure the struggling low income renters can have a pathway towards a better life. In 2016 when low income residents of douglas square were at risk for being priced out of their homes, we quickly organized tenants who were largely chinese immigrant families to ensure they were not displaced. If tenant opportunities are purchased and right of first refusal policies were in place, we could have gone beyond preventing displacement and created a new asset for our community to -- by creating long term affordable housing, we ask that the council support a tenant led initiative to develop a tenant opportunity to purchase policy. Everyone is worthy of a stable healthy home, I ask that you please support measures w within rip that will create sustainable, affordable housing, thank you for listening and for your efforts to help low income Portlanders to be in your o neighborhoods throughout this city.

Wheeler: Appreciate it.

Moore-Love: after tim davis, I show about 25 more people on the line.

Wheeler: Good. We'll definitely get through it in our two sessions.

Moore-Love: next tim davis and followed by sam starky. Mayweather hi, tim,.

Wheeler: Hi, tim.

Tim Davis: good afternoon, mayor wheeler and the rest of city council and everyone. This is tim davis, for decades official housing policy has been incredibly destructive to the

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planet, to equity and to racial justice. It's time to make massive changes and passing rip is a small but crucial first step. The police are on everyone's minds right now, there are striking parallels with housing and zoning. The police system itself was created to protect the rich in a waged labor form of capitalism and particularly to control the working class and the poor rather than to serve and protect. Similarly, our land use transportation and exclusionary housing system has literally systematically divided people by race, class and privilege for decades and rip will at least -- rip out a tiny sliver of this inclusion and reduce racism. Regarding the amendments, I support amendments 1-4 i'm extremely excited about amendment 6. Thank you for this it warms my heart, thank you so much. I oppose amendment 7, which has good aspirations, but will only increase the rich-poor divide by exempting already wealthy neighborhoods from allowing plus -- it makes it nearly impossible and regarding demolition and displacement, rip began, of course, over concerns about small homes being demolished and replaced by much larger single family homes, and let's not forget that all nonsubsidized new housing, again, nonsubsidized new housing including duplexes and triplexes are incredibly expensive for many reasons, so the arguments about affordability are a little bit ridiculous in this case. Rip is anticipated to reduce demolitions better 28 percent citywide. Every day that rip is not passed, more Portlanders are displaced than otherwise would be, plus they always talk about displacement, affordability, what about the people who do not live in expensive close-in neighborhoods and who have wanted to live there for many reasons, lots of amenities, they are already the displaced ones, thank you very much.

Wheeler: Thank you, tim.

Moore-Love: Next is Sam Stuckey, followed by Henry Kraemer.

Sam Stuckey: thank you. Mayor wheeler, commissioners, for taking the time to hear us. Also, thank you to everyone else who is chiming in today to share their testimony. I know many of us have our minds elsewhere right now. I just wanted to say that I support the passage of the residential infill project and look forward to seeing greater diversity throughout all of our neighborhoods and I know allowing a greater diversity of housing options is the first step and we cannot wait any longer. With that in mind, I hope you give great consideration to amendment 6, as deeper affordability means greater opportunity for that diversity to reach further into all areas of the city. I can't imagine a greater legacy for members of this city council to leave behind, that is all I have today, thank you.

Wheeler: Thank you, appreciate it.

Wheeler: Hi, henry.

Henry Kramer: mayor wheeler, city commissioners, i'm henry kramer, a homeowner in the king neighborhood of northeast Portland and an organizer with Portland neighbors welcome. Speaking only for myself. First off, wanted to thank you for taking the time to listen to testimony during this moment where I know i'm not the only person who is finding it possible to focus on anything other than police brutality. I'm asking you to take the humble step toward dismantling exclusionary zoning with the proposed technical amendments 1-4 and the deep affordability bonus 6, also want to ask you to reject the counterproductive conservation district, and 7, tabled amendment 5 and 8 through 17. With the vital adoption of 1 through 4 and 6. It is just one small step toward building a more just city. Just a necessary step. We have big things to do in this city. Reining in out of control police force, building a climate resilient city, providing stable housing, preventing, repairing the displacement of communities of color. I think we would all love to turn our focus to that. We have a state mandate to act on this, we have spent six years mulling over this question, there are first graders going to school up the school from my house who weren't born yet when we started working on this, we have what reached a humble, moderate answer that any reasonable person can support. It's time to move on it and move forward, thank you very much for your time. I yield the rest of my time.

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Wheeler: Thank you.

Wheeler: Welcome.

Janaira Ramirez: thank you, mayor, and city council members for allowing testimony, like the -- i'm a renter in northeast Portland. I'm here to support the residential infill project and in support of amendment 6. This amendment incentivizes affordable and smaller, more multi-family units, which is a strategy culturally relevant to communities of color. Allow them to be more accessible. As many have said before me, this is only one of the many steps our city needs to assure housing stability. As a renter, I think housing stability speaks to resident's capacity to mitigate change in their lives, like losing a job or losing a job in their regular life or losing it in the middle of a pandemic and other life occurrences that might cause a family to be displaced out of their neighborhood or city. Housing stability speaks to their ability to remain in place, not just to be able to afford that house or that unit, depending on their job. And I fear that the number of people who are displaced out of it city will rise as many of the low income renters are facing severe hardships during this time, the amendments submitted adpdx, anti-displacement coalition speaks to actions that can allow renters to be more stable in their housing and have more options and to some extent work towards ownership, like the tenant opportunity to purchase. Housing stability helps everyone mitigate uncertainty better and allows us to create more resilient neighborhoods where our families, low income renters and folks with mixed income can all live together, I look forward, this is one step in order to address our affordable housing crisis, not that we are not just having a housing crisis, but a crisis of affordability in our city and many cities across the state. I look forward to work that comes out of it council to move forward and provide a path to homeownership for low income renters and medium income renters and protections for renters who do not see ownership as their next step right now. Thank you.

Wheeler: Thank you.

Wheeler: Hi, Diane.

Diane Linn: good afternoon, everyone. Thank you for listening to all of us during these extraordinarily difficult times, I honor all of your service. We join Habitat for Humanity of Portland, Metro East in our enthusiastic support for the infill project in general and the deeper affordability bonus amendment to allow for an additional four and six plexes, program paragraph partners with Habitat to provide first time homeownership opportunities and for the reasons just discussed, the stability that brings to the kids and families, is so very important, these are for families living between about 35 and 80 percent of median income, in addition to Habitat's achievement, we also serve families of color with a wait list of over 500 families, 3/4 of whom are families of color, this kind of public policy move is critically important right now and especially poignant. Our homeowner models we have in place identify identifying property zones for neighborhoods across the city. If this deeper affordability bounce is approved in addition to unit's habitats expects to build on double sized lots, we are hoping to partner with builders to add even more units in a very cost effective way. The six unit properties on infill lots. To add to the pipelines for homes and neighborhoods around the city, that are very amenity rich in communities that have experienced so much gentrification and have caused so much displacement. Reestablishing economic and cultural diversity once taken for granted back in the Portland I grew up in is a critical role and especially now. So this upwards trajectory of possibility for more and more homes and the monitoring support to see how well we do and what it's going to take to remove barriers to continue to create more units for more and more families is critically important, we so appreciate your time and look forward to final passage of rip finally after so much work and effort, Portland is finally moving in the right direction as it relates to single family zones and we thank you for your support for the deeper affordability amendment.

Wheeler: Thank you, Diane, appreciate your testimony.

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Linn: thank you.

Wheeler: hi, rowenna. Are you on?

Rowena Paz Norman: i'm sorry, hi, everyone. I'm rowena paws norman and I want to thank mayor wheeler and the commissioners for your time, i'm speaking on behalf of partners for hunger-free Oregon and anti-hunger advocacy group. Amendment no. 6, because of the strong relationship between housing and food insecurity. And in a tight family budget, rent and utilities won't budget, yet rice can be squeezed. Food is the most elastic of basic needs. A key reason is that housing costs have risen so much faster than wages. The rapid rise of rental costs in the Portland metro area and in other places in Oregon could be a driving force. This connection between housing and hunger is demonstrated by a study of -- from harsh haven't's joint center that found that low income families with affordable housing have more food security, and the study was shared with council in an e-mail I sent earlier today. I encourage council to pass residential infill with amendment no. 6, to keep working on housing through the future anti-displacement plan, to support partner's efforts to build a hunger-free Oregon. Thank you.

Wheeler: Thank you, appreciate it very much.

Wheeler: Hi, sean.

Sean Green: hi. That I see, commissioners and mayor, for hearing my testimony. I just wanted to say i've been working on this issue for over five years, back when I was chair of the laurel hurst neighborhood association involved with southeast uplift neighborhood coalition, and I continue that work as vice-chair of the northeast coalition neighborhoods and co-chair of the land use and transportation committee, you heard earlier about the support by necn about this proposal and I wanted to echo that support, and i'm here to say the time is now to support this, and we are ready. And I feel strongly that this is going to make our city a better place. Thank you very much.

Wheeler: Thank you. Hi, michael.

Michael Steffen: hi there. This is mike stefan, dime Portland 26, 27 years ago, it was a city on a hill, a light in our nation in its leadership then and it is still today. I think what's been done with the planning work and the policy work on the run project is phenomenal. My family supports it 100 percent. I shear the concerns that many have mentioned about amendment 7. And carving out certain neighborhoods from the requirements. I just wanted to stay on record wholehearted endorsement and yes, as many have said, it is time to move forward with this now. Thank you.

Wheeler: Thanks, mike.

Wheeler: I see a chris, he's muted. Can you un-mute? We hear you, chris.

Chris Marraccini: okay? Are we ready?

Wheeler: you're ready to go.

Marraccini: all over Portland, the green spaces are disappearing. Green spaces in east side Portland have lowered temperatures of all of Portland during hot summer months and filter smog on high pollution days, these green spaces also slow down water runoff. Lack of concrete hints of infrastructure considerations is also a big concern. The january 2020 addition of the Oregonian reported 4.8 million millennials are reaching 30 years of age in 2020, a prime age for many to purchase their first home. Not a rental, but a house, current research also indicates most people want a yard and storage, especially due to covid-19 issues, the city's rap ignores these trends, homeowner encourages longer community commitments and more stability than rentals. Homeowners are the ones who vote to pay higher property taxes in order to improve Portland schools and support community resources. As a teacher, the educational ramifications of Portland's rip puts eastside schools and students' educational success in jeopardy. The city's rip is exclusionary in and of itself sit encourages gentrification and makes it possible for only the wealthy, giving many Portlanders the only option of renting allowing the rich to get richer and the poor to

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get poorer. The whitest part of Portland, it is a shame neither diversity or density is address the in the city's rip concerning southwest Portland, the state hb2001 recommending duplexes is enough. The city's rip does not make Portland better. Rather than displacing residents and demolishing homes under the guise of affordable, solution should be explored for eliminating displacement and gentrification and providing down payment mortgage assistance, homeownership opportunity opportunities will be more available with the elimination of developers who are I see raking house prices and help with strategies for giving mortgage assistance please choose health, safety, stability, livability and homeownership opportunities over short-term profit. It is vital to Portland's future.

Wheeler: Thank you, chris, appreciate it.

Moore-Love: next lincoln Tuchow and margaret davis.

Wheeler: Hi, lincoln.

Lincoln Tuchow: hi, guys, thanks for everything me here i'm lincoln, and i'm a board member of the architectural heritage center, as well as a residential real estate agent here in Portland. I'm here to speak in support of amendment no. 7, the historic resources demolition disincentive. As a realtor, I can tell you zoning changes which allow up to a four plex on most single family zoned residential lots will put tremendous demolition pressure on Portland's historic buildings. The same proposal was adopted for multi-family zones and better housing by design. This was allow us to protect those special residential buildings that define Portland and gift its unique character, discouraging the demolition of historic buildings is consistent with the goals of the 2035 comprehensive plan. It is the green thing to do, demolitions will be an ecological nightmare producing massive amounts of solid waste, releasing toxins into the neighborhoods and creating a huge carbon and natural resources footprint. Adaptive reuse on the other hand of existing homes will reduce waste, preserve naturally occurring affordable housing and help prevent displacement of lower income household, an important part the demolition disincentive to contributing buildings within conservation districts. Many of these districts, such as elliot, piedmont, elliot and woodlawn, are historically -- some of these stories were told by our founder, former executive director and founder galbraith in her 1995 book cornerstones of community, buildings of Portland's african-american history. Although quite a few of these buildings have been lost to demolition and redevelopment, i'll sad to say, numerous ones still remain and would benefit from this protection, because there are numerous historically significant homes outside of historic and conservation districting which will be threatened with demolition if rip is approved, I propose the demolition disincentive be extended to include ranked homes on the historic resources inventory that are not already on the historic landmarks very which are not already historic landmarks or contributing structures in a historic or conservation district. These homes have been identified for their significant contributions to Portland's history and architecture landscape and represent only a small fraction of the single family homes in the city. So in other words, the impact on rip would be negligible, but the potential benefit to Portland would be great. Thank you for letting me speak to you at this time, I realize there's a lot going on in the city and the world, which is, you know, of a major significance and I appreciate you taking the time.

Wheeler: Thank you, lincoln, we appreciate it.

Moore-Love: Next we'll hear from margaret davis followed by john gibbon.

Wheeler: Good afternoon, margaret.

Margaret Davis: hi, everybody, I have a few visuals I sent to keelan or Karla. -- I don't know who is supposed to put those up. Uses bringing them up right now.

Davis: i'm margaret davis, I live in northeast Portland, I have these few visuals for you. Just looking at this first slide, just have three pictures, i'm amazed that I see met market rate housing measure comes before you at such unprecedented times but does relate to issues on everybody's minds that's inequality and health and safety. With rising income

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equality -- inequality cross america, which I know you're not responsible for, we see dramatic gaps in treatment between the haves and have knots, here is how you can make a difference, by voting no on rip and allowing affordable housing to remain standing and be reused. Remember, rip isn't about affordable housing, look at the last item on that slide, this was presented near the beginning of the project. And it shows that affordable housing was not part of the scope of the project, we weren't even really allowed to discuss it at any of these open houses, i'm surprised people are mentioning it, and I wish you had an air horn for every time it was intimated rip would bring us affordable housing, what's worse, rip incentivizes the loss of affordable housing, when you offer a multi unit payout where a single family house once stood, that house doesn't stand a chance. Next slide? Can I get the next slide. So here's an example of rip style development. This is 63rd and mason in my neighborhood, a house that sold for \$330,000 was demolished and now the one there on the corner selling for \$685,000. So we will never get the 330,000-dollar housing option back, and we will only be inviting wealthy people to live in our neighborhood, and that is inequality. We know that neighborhoods are stronger for their diversity, whether it's background and here i'm talking specifically about income. Can I get the next slide. Thank you. So that's inequality. So how about public health and safety. Really the reason why we are online today. Right now we battle something we can't see, this is a battle about something we can see. You can see the toxins coming out of it demolition there. But bds's own recent estimate, about 90 percent of demolitions go unmonitored for hazmat control, this is even after you pass the stringent rules that you thought you did. So right now, a subcommittee, and this afternoon, was meeting to give oversight of hazmat control during demolitions to an employee of the teardown builder, all it takes is the demo manager going off for lunch and look what happened. I miss nick Fish for many reasons, he publicly worried about the effects of demolition dust on his kid, as he should have. I hope you will honor his legacy and his concern, wait for full council and full participation before approving a rezoning that displaces more Portlanders and exposes us to even more toxins. Thank you so much. Thank you for the slide help.

Wheeler: Thank you, margaret.

John Gibbon: mayor wheeler and commissioners, thank you for letting me speak to you today. I'm john gibbon, i'm representing the southwest Portland neighborhood markham, and i'm here to express some concerns I have about some of the technical amendments that effectively impact uncurbed public and private streets in our area and more or less, relate to amendment 5, which I know will be discussed next week and express an opinion on what markham would support in terms of amendment 6. The thing you have to understand in Portland southwest or south of as I 5, and there are seven neighborhoods located south of i5. We have no -- don't yet have reasonable, safe active transportation or transit options to access complete community resources, those seven neighborhoods are with the closure of the market of choice on the corner of taylor's ferry road and terwilliger is a food desert. All the way from roughly the intersection to the tigar city line, there is no market except -- two gas station markets serving that entire area. I will admit, we had lots of people who have access to cars and use them a lot to access food resources on barber boulevard or oswego. The neighborhood do not have any resources like that in our neighborhood. This, unfortunately, has the effective of this is to create parking problems on many of our streets, and private roads, and create a special problems on our uncurbed streets and private roads. And the uncurbed streets and private roads also cause storm water issues, and other infrastructure deficiencies in these areas create fire protection issues. Therefore, we are supporting sweeney's request that we believe has been submitted to you to limit try plexes and four plexes to only paid curb streets in southwest Portland, and to limit the deeper affordable bonus to define centers and corridors

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throughout our areas in the hopes that focusing the density in those areas will enhance our very spotty transit service. .

Moore-Love: that's 3 minutes.

Gibbon: thank you.

Wheeler: Thanks, appreciate it.

Rod Merrick: can you hear me now.

Wheeler: Yeah, loud and clear.

Merrick: okay, thank you. Thank you for this opportunity to talk to you guys. I've been involved in the rip and its evolution from the beginning. It's been an idea logically driven process that has morphed with the times, all the way needing much -- lacking much needed analysis and accountability. Additional density to support neighborhood centers is a long-standing policy that i, the neighborhood association that I chair and many others strongly support. And this is where the emphasis should be. But the residential infill project is not a modernization of Portland's zoning code but an untested and radical inversion, the impacts are divisive as its acronym might suggest, handing over single family neighborhoods across the city to investors for random density development. Advocates appeal to aspiration and ideology, maybe it will be needed in 20 years, maybe it will welcome new neighbors, maybe it will produce innovative housing, maybe it will advance social justice. Maybe it will lower housing costs, maybe it was compelling that the unlikely bed fellows of 1,000 friends real estate invests joined forces to advance their notion of how Portlanders should live. Maybe. Or maybe random density policies are a path to accelerated displacement of our most disadvantaged citizens and most desired housing types, adopt a comprehensive planning goals for livability, homeownership, stable neighborhoods, compatibility infill, reduced automobile dependency and sustainability. Leading to this point of final decisions there has been no testing, embarrassing lack of analysis and no framework or standards for assessing the impact of these far-reaching policies, hb2001 does not mandate density everywhere as in the rip. There is currently no shortage of land for this type of smaller scale, higher density development. Even the heavily lobbied planning commission found it a challenge to provide a green light. The reduced lot sizes and deeper affordable amendment under consideration are part of the pattern of idea logically driven agenda, it's become clear the new higher density rental condo housing replacing older single family housing is not about affordability now or in the foreseeable future and encouraging six and eight plex housing creates the deception. We urge if the rip advances, it must be constrained by the mandated periodic assessment, published periodically, comprehensive plan -- excuse yes, audit should be a minimum of the assessment of the following indicators. Associated with the additional density building permits for the single family zones are 2.52, r20. Transportation impacts, and specifically transit ridership, pedestrian travel, parking congestion, ownership patterns, displacement of lower income residents and disadvantaged communities, housing affordability relative to income. Ownership patterns, owner occupied small scale investor owned corporate ownership. Displacement of middle income families with children.

Moore-Love: that's 3 minutes.

Merrick: almost there. Urban tree canopy reductions and changes in the heat characteristics. And complaints about incompatibility.

Wheeler: thank you, your time is up, we appreciate it.

Merrick: thank you.

Moore-Love: next, constance beaumont and she'll be followed by alan kessler.

Durbin: Karla, why sorry to interrupt, this is Andrea Durbin. Mayor, I just wanted to make note that now might be a good time to pause today's hearing and carry over to next week, I know you need to have a hard stop at 5 and probably want to talk about the next steps.

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Wheeler: Why don't we take this last person whose name was just called and we'll continue after that.

Durbin: great.

Moore-Love: constance beaumont.

Constance Beaumont: can you hear me.

Wheeler: Yes, go ahead.

Beaumont: i'm surprised because I kept typing in my password and it didn't seem to be working. But i'll be very brief. I support the comments that were made earlier by john lieu and anna, and the lincoln -- from the arc tech surely heritage center. I support the goals of rip, but i'm disappointed that it takes a scatter shot approach to density rather than focusing it along transit lines as recommended in the comprehensive plan. I confess to being influenced by the policies that arlington county where I live for many years has taken, where they focused density along transit and were successful in dramatic reduction in car trips, boost in transit use and they did create affordable housing as well. I am concerned amendment no. 6 would increase the incentive for developers to destroy existing homes and wasting natural resources, I feel it should not be necessary to destroy one community asset to create another. I agree with others who have recommended that if the city does decide to go ahead with the program, it should set up a system to monitor and report annually on the number of houses demolished, the number of households displaced and the affordability or lack thereof of new structures replacing demolished homes, finally, I support amendment 7, which would discourage the destruction of historic resources, resource that Oregon's goal 5 was intended to protect. So thank you for your patience, and we'll move on, thank you very much.

Wheeler: Thank you, everyone, for your testimony. We know that this is an issue many people have been working on for a long time, and we are going to continue public testimony on 11 for those of you who already signed up to testify via zoom and of course I want to acknowledge there are a number of people who signed up who did not have a chance to testify today. So if you signed up, your day will be June 11. I encourage those of you who have already testified to watch at www.PortlandOregon.gov/video on June 11 to listen to the testimony. If you didn't catch all that or write all that down, just go to Portland city council and you'll find it. I encourage all participants to read the record and submit any additional written comment into the record on residential infill project page on the testimony app. I also want to thank staff who have worked hard to make it easy to listen and engage in the process, particularly our smart city's pdx staff. Thank you. I'll turn it back over to the sustainability staff to give instructions for June 11 and next steps for the residential infill program. Andrea?

Durbin: thank you, mayor. Thank you, everyone, who took the time to testify today and really to all of you who have engaged in this process for the last five years, we really appreciate it and your engagement has helped improve this proposed package. As the mayor said, we will resume next week, June 11 at 2:40 p.m., and look forward to hearing -- continue the testimony. We will come back to council on June 18 for deliberations of the amendments and a vote on the amendments. And look forward to final vote in July. Thank you very much for your time and we look forward to continuing the conversation. S.

Wheeler: Very good. And that concludes today's hearing, anything else anyone wants to say before we adjourn.

King: mayor, I just want, briefly, I didn't mean to interrupt. Just for the record, just so everyone knows that the record is still open and will remain open as Morgan previously announced, until June 11 at 8 p.m.

Wheeler: Very good.

Tracy: one final note, sorry to bug in again, for the folks that didn't get to testify today, 20 folks we didn't hear from, plus another 23 that are still on our list, we will automatically roll

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those folks over to our next meeting and sending out a registration to those folks. And that will show up in their e-mail shortly.

Wheeler: Thanks, commissioner Fritz.

Fritz: Thanks, mayor. Can people sign up to testify who have not already signed up?

Tracy: it's morgan again. So we closed the registration for the testimony on yesterday at 4:00. So that is it for folks that want to testify orally. However, opportunities for written testimony are open as lawrence said, until june 11 sat 8:00 through the map and for or through council clerk e-mail.

Fritz: Yeah, thank you for that, my concern is, as i've mentioned, the volume of e-mails as they're currently coming in, it's practically impossible to sort them, to look -- to find the rip ones. So maybe you could give some thought to whether additional oral testimony might be allowed.

Tracy: i'll defer to council on that question.

Wheeler: All right, very good. And thank you, commissioner Fritz and certainly we can consider that. All right. That concludes today's hearing, we'll pick put up on june 11, until then, we are adjourned.

Council adjourned at 4:55 p.m.