



**CITY OF
Portland, Oregon**

**Official
Minutes**

May 26, 2021

Date and time

May 26, 2021 at 9:30 a.m.

Council recessed at 12:27 p.m.

Officers in attendance

Karen Moynahan, Chief Deputy City Attorney; Keelan McClymont, Clerk of the Council

Consent Agenda

Item No. 377 was referred to the Mayor's Office and Item No. 378 was pulled from the Consent Agenda. On a Y-5 roll call, the balance of the Consent Agenda was adopted.

Date and time

May 26, 2021 at 2:00 p.m.

Council adjourned at 3:57 p.m.

Officers in attendance

Ken McGair, Deputy City Attorney; Keelan McClymont, Clerk of the Council

MARY HULL CABALLERO
Auditor of the City of Portland

By **Keelan McClymont**
Clerk of the Council

**PORTLAND CITY COUNCIL AGENDA
City Hall - 1221 SW Fourth Avenue
WEDNESDAY, 9:30 AM, MAY 26, 2021**

Those present by videoconference were: Mayor Wheeler, Presiding;
Commissioners Hardesty, Mapps, Rubio and Ryan, 5.

Disposition:

City Hall is closed to the public due to the COVID-19 Pandemic.

Under Portland City Code and state law, the City Council is holding this meeting electronically. All members of council are attending remotely by video and teleconference, 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.

Provide Public Testimony: City Council will hear public testimony on resolutions and ordinances (first readings only). Testimony is not taken on communications, reports, second readings, proclamations or presentations in accordance with Code 3.02.040 F. and G. Public testimony will be heard by electronic communication (internet connection or telephone). Please identify the agenda item(s) you want to testify on, and then visit the Council Clerk's agenda webpage to register, www.portlandoregon.gov/auditor/councilagenda. Provide your name, agenda item number(s), zip code, phone number and email address. Individuals have three minutes to testify unless otherwise stated at the meeting.

The deadline to sign up for the May 26, 2021 Council meetings is May 25, 2021 at 4:00 p.m. Email the Council Clerk at councilclerk@portlandoregon.gov with any questions.

COMMUNICATIONS

371 Request of Cassondra Bird to address Council regarding St. John's tank and Vernon Standpipe (Communication)

PLACED ON FILE

372 Request of Jennifer Pereau to address Council regarding Clean and Safe from a small business perspective (Communication)

PLACED ON FILE

373 Request of Laura Feldman to address Council regarding living within the fossil fuel infrastructure on the North Portland Peninsula (Communication)

PLACED ON FILE

<p>374</p>	<p>Request of Joanne Rees to address Council regarding financial irregularities in neighborhood association and request for technical support (Communication)</p>	<p>PLACED ON FILE</p>
<p>TIMES CERTAIN</p>		
<p>*375</p>	<p>TIME CERTAIN: 9:45 AM – Authorize grant agreements with seventeen organizations for the Social Equity and Educational Development Initiatives at the Office of Community & Civic Life for a total not to exceed \$1,800,000 (Ordinance introduced by Commissioner Hardesty) 15 minutes requested (Y-5)</p>	<p>190417</p>
<p>*376</p>	<p>TIME CERTAIN: 10:00 AM – Authorize a three-year Intergovernmental Agreement with Portland State University to partner on projects and planning related to emergency management not to exceed \$500,000 (Ordinance introduced by Mayor Wheeler) 15 minutes requested (Y-5)</p>	<p>190418</p>
<p>CONSENT AGENDA – NO DISCUSSION</p>		
<p>Mayor Ted Wheeler Office of Management and Finance</p>		
<p>*377</p>	<p>Authorize a competitive solicitation and price agreements to procure office furniture for an estimated annual amount of \$1 million (Ordinance)</p>	<p>REFERRED TO COMMISSIONER OF FINANCE AND ADMINISTRATION</p>
<p>*378</p>	<p>Authorize the Director of the Office of Violence Prevention to execute special appropriation grant agreements (Ordinance) Motion to clarify that the Office of Violence Prevention Director is authorized to execute grant agreements and amendments through June 30, 2022, when Council expressly allocates special appropriation grant funds to the Office of Violence Prevention in the City’s budget by ordinance: Moved by Wheeler and seconded by Hardesty. (Y-5) (Y-5)</p>	<p>190427 As Amended</p>
<p>*379</p>	<p>Pay property damage claim of The Hertz Corporation in the sum of \$9,693 resulting from a motor vehicle collision involving Portland Fire & Rescue (Ordinance) (Y-5)</p>	<p>190413</p>
<p>*380</p>	<p>Pay settlement of Chris and Michelle Cook’s property damage lawsuit in the sum of \$35,000 involving Portland Water Bureau (Ordinance) (Y-5)</p>	<p>190414</p>

<p>381</p>	<p>Assess property for system development charge contracts, private plumbing loan contracts and safety net loan deferral contracts (Ordinance; Z0846, K0188, T0205, W0074, Z1210, K0189, T0206, Z0847, W0075, P0167, P0168)</p>	<p>PASSED TO SECOND READING JUNE 2, 2021 AT 9:30 AM</p>
<p>Commissioner Mingus Mapps</p> <p>Water Bureau</p>		
<p>382</p>	<p>Authorize Intergovernmental Agreement with Portland State University in the amount of \$90,000 to prepare population, housing unit, and household estimates and forecasts (Ordinance)</p>	<p>PASSED TO SECOND READING JUNE 2, 2021 AT 9:30 AM</p>
<p>Commissioner Carmen Rubio</p> <p>Bureau of Planning and Sustainability</p>		
<p>*383</p>	<p>Amend grant agreement with Parkrose NPI to provide \$15,000 in additional grant funding to support community engagement for the Parkrose Neighborhood Action Plan (Ordinance; amend Agreement No. 32002372) (Y-5)</p>	<p>190415</p>
<p>*384</p>	<p>Amend grant agreement with Unite Oregon to provide \$30,000 in additional grant funding to support community engagement for the Unite East Portland Project (Ordinance; amend Agreement No. 32002362) (Y-5)</p>	<p>190416</p>
<p>REGULAR AGENDA</p>		
<p>Mayor Ted Wheeler</p>		
<p>City Budget Office</p>		
<p>385</p>	<p>City Council to convene as Budget Committee to correct tax levy for FY 2021-22 Approved Budget (Mayor convenes Council as Budget Committee) 10 minutes requested Motion to approve the tax levies: Moved by Hardesty and seconded by Ryan. (Y-5)</p>	<p>PLACED ON FILE AS AMENDED</p>
<p>Office of Management and Finance</p>		
<p>*386</p>	<p>Amend contract with SAP Public Services, Inc. to increase the not to exceed value by \$293,000 for software cloud services through June 2022 (Ordinance; amend Contract No. 30005306) 10 minutes requested (Y-5)</p>	<p>190419</p>

387	<p>Authorize a competitive solicitation and award of five contracts to provide Vehicle Upfitting Services for a five-year term and total amount not to exceed \$5 million (Ordinance) 10 minutes (Y-3 Ryan, Mapps, Rubio; N-2 Hardesty, Wheeler. Failed to pass.)</p> <p>Motion to reconsider: Moved by Wheeler and seconded by Hardesty. (Y-5)</p> <p>Motion to remove emergency clause: Moved by Wheeler and seconded by Ryan. (Y-5)</p>	<p>PASSED TO SECOND READING JUNE 2, 2021 AT 9:30 AM AS AMENDED</p>
388	<p>Authorize a borrowing of not more than \$60,470,000 in anticipation of the Fire and Police Disability and Retirement Fund levy for FY 2021-22 (Second Reading Agenda 359)</p> <p>(Y-5)</p>	<p>190420</p>
389	<p>Authorize execution of an Amended and Restated Agreement with Sport Oregon for national and international sports marketing activities and event recruiting services to extend contract by five years not to exceed \$275,000 over five years (Second Reading Agenda 352; amend Contract No. 30005536)</p> <p>(Y-5)</p>	<p>190421</p>
<p>Commissioner Mingus Mapps</p> <p>Bureau of Environmental Services</p>		<p>190422</p>
390	<p>Authorize Bureau of Environmental Services to acquire certain permanent and temporary property rights necessary for construction of the South Portland – Burlingame Phase 2 Sewer Rehab project through the exercise of the City’s Eminent Domain Authority Project No. E11080 (Second Reading Agenda 365)</p> <p>(Y-5)</p>	<p>190422</p>
391	<p>Revise sewer and stormwater rates, charges and fees in accordance with the FY 2021-22 Sewer User Rate Study (Second Reading Agenda 369)</p> <p>(Y-5)</p>	<p>190423</p>
<p>Water Bureau</p>		<p>REFERRED TO COMMISSIONER OF PUBLIC SAFETY</p>
392	<p>Declare surplus real property at five Water Bureau locations and request authorization to dispose of the properties (Ordinance)</p>	<p>REFERRED TO COMMISSIONER OF PUBLIC SAFETY</p>
393	<p>Authorize the rates and charges for water and water-related services beginning July 1, 2021 to June 30, 2022 and fix an effective date (Second Reading Agenda 368)</p> <p>(Y-5)</p>	<p>190424</p>
<p>Commissioner Carmen Rubio</p> <p>Bureau of Planning and Sustainability</p>		

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<p>394 Revise residential solid waste and recycling collection rates and charges, effective July 1, 2021 (Second Reading Agenda 367; amend Code Chapter 17.102) (Y-5)</p>	<p>190425</p>
<p>Parks & Recreation</p>	
<p>395 Accept the Title 11 Improvement Project scope of work to update the Tree Code and Urban Forest Management Plan (Report) 30 minutes requested Motion to accept the report: Moved by Hardesty and seconded by Rubio. (Y-5)</p>	<p>ACCEPTED</p>
<p>396 Amend fee schedule for tree permits (Second Reading Agenda 366) (Y-5)</p>	<p>190426</p>
<p>FOUR FIFTHS AGENDA</p>	
<p>396-1 Proclaim June 1, 2021 to be Black Wall Street Day (Proclamation introduced by Mayor Wheeler and Commissioner Hardesty) 20 minutes requested</p>	<p>PLACED ON FILE</p>
<p><u>WEDNESDAY, 2:00 PM, MAY 26, 2021</u> Those present by videoconference were: Mayor Wheeler, Presiding; Commissioners Hardesty, Mapps, Rubio and Ryan, 5. Commissioner Hardesty presided at 3:13 p.m. Mayor Wheeler presided at 3:54 p.m.</p>	
<p>397 TIME CERTAIN: 2:00 PM – Amend the Zoning Map, Title 33 Planning and Zoning, and Title 32 Signs and Related Regulations to implement the Design Overlay Zone Amendments project to update the process and tools of the Design Overlay Zone and related code sections (Previous agenda 344; Ordinance introduced by Commissioner Rubio; amend Code Titles 32 and 33) 2 hours requested The written and oral record will reopen for testimony on the proposed amendments. Information found at https://www.portland.gov/bps/doza</p>	<p>CONTINUED TO JUNE 10, 2021 AT 2:00 PM TIME CERTAIN</p>
<p><u>THURSDAY, 2:00 PM, MAY 27, 2021</u> DUE TO LACK OF AGENDA THERE WAS NO THURSDAY 2:00 PM MEETING</p>	

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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. The official vote counts for council action are provided in the official minutes.

Key: ***** means unidentified speaker.

May 26, 2021 9:30 a.m.

Wheeler: Our city employees will enjoy what I believe is a much needed break. I want to take the opportunity today to acknowledge and honor the fallen members of our military for whom Memorial Day was created. An official proclamation for Memorial Day as a holiday in Portland. I'm going to read the proclamation first. Whereas Memorial Day was established by federal law in 1971 for 70 years and the united states armed forces who died in service for our country. These deaths total three point one million spanning across seven major wars. Taking an oath to support and defend the constitution of the united states against all enemies foreign and domestic. We should strive to commemorate their sacrifices and remembering their courage and commitment to service. We need to recognize and respect the soldier who's are willing to serve on our behalf and who gave the ultimate sacrifice and whereas where most of us enjoy this upcoming long weekend we should take time to reflect on the sacrifices of soldiers, marines, air man and sailors who make this possible. I ted Wheeler do hear by proclaim May 31, 2021 to be Memorial Day in Portland and encourage all residents to observe this day. To accept this proclamation colleagues we're joined by Beth Walmsley. Thank you for being here.

Bethany Walmsley: Thank you so much. Thank you for the opportunity to speak for just a few moments. I appreciate so much the proclamation. I'm the executive director for the returning veteran's project. Our non-profit was founded in Portland actually. Our network of nearly two hundred volunteer professions give back to the veteran and families in the community by donating their time and expertise. Our volunteers make health care more accessible to our military communities. Our organization is committed to improving access to the health care services they need so they can recover and withstand the challenges of military life. Today their needs are rising and you can help. Visit our website returning veterans dot org so you can hear more about our amazing volunteers and of course donations are welcome. By giving back to

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those that serve our country, we give our local country veterans healing and hope for the future. May is military appreciation month and Monday is Memorial Day. It's important to honor and grief for those who have given the ultimate sacrifice to our nation. It should be more than laying flowers and placing flags. We should all take a moment this weekend to remember what this holiday is all about and honor those who serve our nation and are no longer with us. Perhaps you know a veteran or someone still serving in the military. Memorial Day is the perfect opportunity to personally thank a veteran, a service member or a family member. Through that personal connection, we honor veterans that are very aware and very thankful that they made it home when they most likely know and feel the loss of one if not many service members who did not. After you thank them, please take a moment to ask and listen and understand what they did in service to our country. Enjoy your weekend. Happy Memorial Day.

Wheeler: Thank you so much. We appreciate your being here this morning. Thank you for the great work you do and your organization does. We're glad we had this opportunity to share the good works in the community. Thank you for all you do for so many people. I don't know if anybody has anything they would like to add. You certainly have the opportunity if you so choose.

Mapps: Mr. Mayor -- .

Wheeler: Commissioner Mapps. And Keelan, the commissioners on the list are all over the place, could you please cluster them the way you usually do, it will help me see whose hand is raised. Commissioner Mapps.

Mapps: I just want to thank you and my colleagues for recognizing Memorial Day. I don't have a big speech planned but I am inspired by her comments. I would like to take this moment to recognize and thank my fellow commissioner Mrs. Hardesty who is a navy vet. Thank you for your service to our country and city.

Wheeler: Thank you commissioner Mapps. Commissioner Ryan.

Ryan: Thank you for being here. It was wonderful to hear your words. It sounds like you have a great organization. I'm looking forward to getting to know it better. The family members that I've lost, my father was an air force veteran. My mom made it possible for him to serve. Three of my brothers who are deceased two were in the navy and one in the air force. They served in the military but their mental health was triggered when they came home. I think we know much more about this today than we did when there was no dialogue about it and limited services. It is also as we know mental health awareness month. I'm knitting those two together in a way I

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hope you find respectful. As I think about those PTSD wounds that so many people have and being focused on the houselessness crisis if there's a connection there as well. We can keep partnering with organizations. I hope we take time to reflect this weekend and take time to unplug from it the noise and reach out and connect with somebody. I think we're coming out of some major isolation because of this pandemic. I think this is a really big opportunity this weekend to heal. I really appreciate that we took a moment this morning with this proclamation. Yes, commissioner Hardesty, I really respect that you were a member of the US Naval services. It's part of your rich legacy and lived experience. It's an honor to serve with a veteran as well. Thank you.

Wheeler: Thank you commissioner Ryan. Commissioner Rubio.

Rubio: You want to thank you mayor for bringing this forward. Thank you for your comments. I too want to acknowledge my colleague commissioner Hardesty for her service today as well. This day -- Memorial Day gives us an opportunity to reflect on our values as a nation and our right to pursue these values and justice for our futures. After the last couple years when these ideals were under attack we appreciate this more than ever. Because of this we're able to advocate and push for a better country. We want to honor our community and veterans for serving and having surfed all of us in the community. We continue to pursue these things and make our communities better. Thank you for your sacrifices and your family's sacrifices we remember these families and individuals this week.

Wheeler: Thank you commissioner Rubio. Commissioner Hardesty.

Hardesty: I feel like I have to speak out now since I've been outed by all my colleagues. I'm honored I had the privilege as a young person to serve in the united states navy. I had the privilege to be one of the first women on ship. I want to acknowledge how badly we've treated vets after what we've asked them to do. I've had the privilege for a few years in the veteran stand down that position project does every year. It breaks my heart every time I participate. These people gave everything they had when asked and most of the time we're asking babies to represent us all over the globe. I have a high degree of respect for all the veterans of all the conflicts that the US. Have been involved in. I challenge all of us to do better. To say thank you to a veteran. To make sure that you're looking people in the eye and acknowledging the sacrifices that they made. I heard commissioner Ryan talk about PTSD. And we didn't even know what the word was decades ago but we do know that no one can serve during wartime and not be impacted. Thank you. I don't think the gentleman with the headphones is really named Bethany.

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Thank you for the work that you do and talking about the fact of hidden heroes all over our community. Thank you for bringing about this proclamation.

Wheeler: Thank you for your service in so many ways. I also want to acknowledge members of the city team. There are many many people amongst our employees including our staff who served in the military. There's quite a few folks at city hall who served, there is a good time to acknowledge their efforts as well. Thank you commissioner Hardesty. With that that concludes our Pregavel item. This is the convening of the Portland city council meeting for Wednesday, May 26th, 2021. Please call the roll.

Clerk: (roll call).

Wheeler: The council is holding the meeting electronically there's several avenues available to listen to the public broad cast. The city's YouTube channel. The public can provide written testimony by e-mailing the council clerk. Council is taking these steps as a result of the covid 19 pandemic. We need to limit in person contact and promote physical distancing. The pandemic is an emergency that threatens the health, safety and welfare and requires us to meet via remote communications. Thank you for your patience as we manage through this difficult situation to conduct the city's business.

Karen Moynahan: You may sign up in advance to briefly speak about any subject. You may sign up for public testimony for resolutions or first readings of ordinances. The published agenda contains information about how and when you may sign up for testimony while the city council is holding electronic meetings. Your testimony should address the subject being discussed at the time. The presiding officer determines the length of testimony. Individuals generally have three minute it testify unless otherwise stated. Disruptive conduct such as shouting refusing to conclude your testimony or interrupting other's testimony will not be allowed. A warning will be given that further disruption will result in the person being placed on hold. All council meetings are recorded. Thank you.

Wheeler: Thank you. First up with communications.

Clerk: Request to address council regarding St. John's tank. It doesn't look like she has joined us yet, should I go on?

Wheeler: Go onto the next person.

Clerk: Request of Jennifer to address council regarding clean and safe from a small business perspective.

Wheeler: Good morning.

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Jennifer Perea: Good morning. I own two small food businesses in northeast Portland. I organize with the business block and western region advocacy project. We have discussed at great length that entitled small business owners call on mayor Wheeler to recall the police. After we presented it to the mayor and subsequently were ignored. Some business owners have more influence than others. I've attended a few tables, when I read the business alliance it's so entitled and arrogant in their access they don't bother filing the correct paperwork. Business community, I assume they mean the wealthy business owners. Here is what we observe when it come it public safety. We see three commissioners defunding Portland street response. This was a horrific outcome that we believe could have been very different. This vote came after much testimony from the community asking you to expand this important program. We see the mayor's office shrugging off concerns including experts on the topic regarding the clean and safe contract. I would like to thank commissioner rubio and Hardesty about the contract. To commissioner Mapps and Ryan, I would ask that you respond to our request for a meeting. If you are not familiar to the issue, I refer you to the city auditor's report on clean and safe being an example. The extreme lack of oversight and accountability. The report asks if esd should be engaged in public space services. The private patrolling of public safe problematic. It's a waste of money. We believe all stake holders not just property owners should have a voice in deciding if we want a private security force policing downtown. It's undemocratic. You don't have to take my word for it. There's arrest data and testimony we can provide. I strongly urge the council; you uphold your duties as council.

Wheeler: Thank you for your perspective. I obviously disagree with you on a couple of points. I meet with many different groups and constituency. Anything that I say in any meeting is fair game for people to relate to the press or public or anybody else they want. Just yesterday I had one of my regular meetings with a number of different business coalition leaders which include far more than just the Portland business alliance. Neighborhood business districts, advocates for small business as well as small business owners and operators. I want to assure you I'm hearing perspectives broadly when it comes to business owners and operators in the community and I appreciate your acknowledging the work of the Portland committee on policing. There are many people who opposed my efforts to engage policing. They have demonstrated independence, strength. They have provided, I think, a fantastic plan fort to share thoughts on community safety and policing specifically. There are many things you've said where there may be some confusion about what my actual role is or what my actual viewpoints are. There's a couple of

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things where we probably disagree. I do appreciate your being here and sharing your perspective today. Thank you. Next individual, please.

Clerk: Item 373 to address council regarding living within the fossil fuel infrastructure.

Wheeler: Good morning. Thank you for being here.

Laura Feldman: My name is Laura. I was born and raised in Portland. I live in the port smith neighborhood on top of fossil fuel pipelines which I think deliver jet fuel to the airport. A couple of years ago, I attended an emergency preparedness workshop. What if you live over petroleum pipelines? She said contact your politician. Here I am asking you to mark street signs warning us not to dig or in case of emergency. I've experienced my walls shuttering causing a picture to fall off. My downstairs neighbor has felt the earth shake at times. I begin to wonder about these pipelines. The first time I experienced I calmed the city. I was referred to pbot. They didn't know any problems about the pipes. They sent me to a crew boss working out in the fields. He knew of no disturbance. These tanks were laid in 1972, the year I graduated from high school and they were good pipes. This did not inspire confidence. Odot oversees these peeps. Odot says it's pbot. 90% of transportation fuels used in Oregon and millions of gallons of fossil fuels and chemicals housed in a series of tank farms in earthquake vulnerable land field methane below which the fault line runs through. I know the city it's invested in the financial risks of this hub. Public health from pollution. The financial burdens, these impacts have placed on front line communities. The earthquake can happen at any minute. Making the cei hub an unmitigated disaster. I was told these pipes won't matter if that happens. I would love someone in the city universe to tell me about the pipes I live above.

Wheeler: I don't know the answers to your question. I'm certainly willing to have my staff work with you to get those answers. If you could potentially forward that information to me and the mayor's office, I'd be happy to take a look at it and get back in touch with you.

Feldman: Thank you.

Wheeler: You bet. Thank you for being here today. Next individual, please.

Clerk: Request to address council regarding financial irregularities and request financial support.

Joanne Rees: Thank you. Neighbors in our neighborhood association na have not received substantive technical assistance. The voice of the community -- fraud hot line still defer to civic life. In 2017 our na concerns whistle blew lack of inclusion. We received miss appropriation of city resources such as insurance coverage. Support for diverse financially struggling communities and neighbors is positive. However, the opportunities seem only to be offered to

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former na board members. Between July 2019 and November 2020 headed to projects or assumed business names of white board members. Including two thousand dollar seed money to establish a non-profit. Refusal to acknowledge public record requests. Failure to follow bylaws, selectively responsive Gmail address. Attendance at general meetings generally less than the quorum of ten people. Our na had had and has members on board. The platform beyond that given to other groups. 2012 ombudsman found grievances that no corrective action was taken. Neighbors have been spinning our wheels since 2017. Everyone deserves a place at the table not just na board members. In tough times it is irresponsible to continue funding city sectors that can't or won't do the work necessary to minimally and fulfill their housing statement. Tokenized and selective engagement and community and civic life probably much less so. Thank you.

Wheeler: Thank you very much. We appreciate your testimony. Did Mrs. Bird get on the call? Wait. Commissioner Hardesty had a question.

Hardesty: Thank you, mayor. I wanted to thank Joanne for showing up today. I think I know what neighborhood association she is affiliated with. I hear her concerns. They are concerns that have been years long concern. I just want her to know that we're in the process of correcting some of the major changes that should take place and I encourage her to reach out to me and my staff if she has some specific information she would like to share about her experience. We collectively have to work to make our neighborhood systems better. I look forward to working with you.

Thank you, mayor.

Wheeler: Thank you commissioner Hardesty.

Clerk: She has not joined.

Wheeler: All right. That completes communications. We'll move to the consent agenda. There are two items on the consent agenda that I would like to -- the first is item 377, I would like to pull that back to my office. Could you read that please.

Clerk: Authorize a competitive solicitation and price agreements to procure office furniture for an estimated amount of \$1 million.

Wheeler: That's pulled back and 378, read that as well.

Clerk: Authorize the director of violence prevention to execute grant agreements.

Wheeler: I'm pulling this item from the consent agenda I will move it to the end of the regular agenda for an amendment that the director is authorized to execute grant agreements and

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amendments through a time certain period. I'll explain that later that we'll pull this for now and move it to the end of the regular agenda. Have any other items been pulled?

Clerk: We have received no other requests.

Wheeler: Please read the remainder of the consent agenda.

Clerk: (roll call).

Wheeler: The consent agenda is adopted. Next up is the first time certain item number 375.

Clerk: Authorize grant agreements for the social equity and educational development initiatives at the office of community and civic life for a total not to exceed one thousand eight hundred dollars.

Hardesty: I'm pleased to introduce our presenter on what I think is one of most creative programs we have.

Dasheeda Dawson: Thank you so much commissioner Hardesty. Mayor Wheeler and the rest of the commissioners I appreciate this time. I'm going to quickly share my screen and go through what's been a very interesting first year for me with our cannabis grants. Just at a high level, here is what we'll talk about today. Here for the council's action for the 2021 seed grant cycle. I haven't talked about our regulatory framework, the vision, historical overview which you've seen when we did our budget session. Little about seed initiatives, time line, selection committee. We only have a short amount of time because we are in the process of processing and hopefully for an approved group that is three times what we've normally done and short one staff. We'll release later on this year our 2021 seed initiatives report which will outline in more detail and colorful way all the work we've done in this last year. This is a very busy slide -- orients the commissioners to our current program ecosystem. When I came in, one of the first things I wanted to do was outline how we're an equity centered program. What you see on the left side is our core competency. The things colored in are operating fully. Gray are still in progress. The black in our vision will come to life. Still some spots that we have to develop. On our left side, we as a licensing compliance, this is part of being a cannabis program. I would say has been devoid of equity and meant to be neutral. I think one thing about Portland's program, it's always been sensible in its vision and way more equity than other programs across the country. We have the cannabis policy program team. One more that we receive from licensing and compliance related fees help support the entirety of the program as far as the administrative portions are technology. As we move into our vision, we have a goal of filling in the technology. We'll come back as we prepare more in that upgrade in the future. We have a surplus. We have been under

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funding and supporting what is a very rapidly growing program. As you think about what we do in the community, growing the economy and that grows the tax revenue. Thanks to your ruling last year, we get one million ongoing into our seed initiatives. There was no branding around our grant fund, it was just the cannabis social equity fund. Once we got that we went into hyper drive while strategic planning. That leads us to the vision of filling this in. We see the ability to spend a little more out of our surplus and improving our inter-bureau partnerships. We've been doing it again informally and more formally adding to our market communications. Social equity really improving the grant fund as we get more funding. Improving general education and technical assistance for grant fund recipients and also those equity applicants that need to go through our licensing process should hb3112 be passed. This number increases because that comes from private sector. I see the branding for public private partnership. It allows us to expand how much funding we can do and community reinvestment we can do as well. We've done quite well definitely compared to the rest of the country; we've led the way tied to cannabis tax revenue. Going into 2020 and beyond because of the one million ongoing, we really revamped the positioning of the program. Launched officially in 2020 it's a source of monitoring, measuring, and reporting on the tax revenues, equity and investment. One million general budget is intended to have a portion go to the grant fund, eight hundred k. That would be a fifth cycle of that. Continuing to support partnerships. We don't have funding there but definitely time that's been put in growing the partnerships or the potential with private entities supporting seed initiatives. Cannabis tax revenue is the sole source of seed initiatives. The intention is to report on the return on equity investment. The roei which is becoming a more nationally known term as I share it at the federal level. We need to figure out how well we're doing. This report guides on future recommendations and certainly the city council on future decisions on allocations. A national benchmark for community reinvestment tied to cannabis revenue. It legalized and became a full circle for me being from Brooklyn and shared the details of the program and will help New York drive their cannabis revenue and drive reinvestment. Our aim is to aid, strengthen and serve and black indigenous and minority communities. We adjusted our priority areas as a result; hours of feedback and looking at the three years we've done this prior. Expanded it to include education and economic justice. Uniquely serve bipoc communities across these areas. Increase the number of bipoc and women led small businesses and projects funded by seed. Very much supporting for us by us model. It revealed a lot of kinks in our process which we intend to improve moving forward. This is the big picture. We started in

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September with a funding announcement and round one application release. We held multiple live info sessions that were available on demand and released round one application that was ultimately due 31 days later. It was released in November for people to review. The scoring because of the impact to our selection committee. Stronger administration of its program. It's best if the rfp process is related to allocation. The shift we'll be able to make. Our grant selection committee was brought together by a number of different groups. Eleven in total including myself. Every game that feedback. The seeds needs the funding going forward. Our applicant pool was plentiful and very diverse compared to previous years we tripled the number of applicants as a result of our outreach and categories. The grant application categories expanded education, the majority as you can see over 35% had multiple areas which they touched on. We were happy to see that nearly 20% focused on some aspect of cannabis. That is not usually the way that community reinvestment is needed or wanted. It's usually a diverse portfolio of investment. Our race and ethnicity was definitely a big goal for us. We're not getting enough people of color in the applicant pool of the pool of 123, 45% identified as black. 5% indigenous, seven percent Latinx. Gender non binary area we had had over 50% identify as she/her in the leadership and ownership role. We have 17 out of the 40 finalists that we're proposing. Twenty nine percent are owned and led by women. We have more of the breakdown here. This is just sampling of the some of the new organizations were excited to bring on as new recipients. The range has been quite diverse. We've spent a lot of hours in scoring and deliberation to ensure we're meeting our objectives. We were able to propose 17 which is a bit of fiscal massaging. We've been sitting on a million dollars and waiting for our rfp process to be done. We need the rfp process before the allocation we're combining the one million that we've been allocated from 2020/2021 and future allocation eight hundred k. All recipients will complete work July 2021, to June 2022. After we move into the seed grant cohort this rfp will be on the same timing and stretched out to give us better administrative abilities but now it's done before the allocation and we won't be rushing to encumber funds. I think that's a really important goal for us and I know for council. Our 2 million allocation will be used for seed funding. I'm happy to answer questions. We'll be releasing a seed initiatives report that will detail even more around our proposed recipients. Thank you.

Wheeler: Thank you. Commissioner Hardesty.

Hardesty: I just want to say how impressed I am that you stayed within the 15 minutes allotted. We had the pleasure of having a leader of the cannabis program that's nationally known and

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respected of being a leader in this field. I have to say publicly how thrilled I am that she is working with us at the city of Portland to help us be a national model on both who benefits from cannabis policy and how we make sure that we're not creating barriers for those who have been negatively impacted. Just want to take a moment to appreciate the fabulous staff we have leading this effort.

Wheeler: Any further questions before we ask for public testimony.

Clerk: No public testimony on this item.

Wheeler: This is an emergency ordinance.

Ryan: Thank you for your leadership. That was impressive. When you were calling out the communities you were focusing on for the equity engagement. I didn't hear you call out Pacific Islander specifically. I'm sure you're focused on that though because you don't seem to miss anything. Did I miss something?

Dawson: Our data shows that the racially biased enforcement of criminalization disproportionately black, indigenous and Latinx. Even though there's no data that doesn't mean no harm has been done. We're working very closely with a group to ensure they are part of our work groups and ensure we're able to start tracking data to ensure that we can, I would say legally and constitutionally support the same race consciousness in the language. We didn't want to be dinged on it because we don't have the data to support it.

Ryan: I hear you. I bring it up because looking at data how important it is to decouple Pacific Islander from Asian. You see different disparities when you do that.

Dawson: That's an important point. It's one I'm still learning and top of mind because of the experience I'm having in Portland. Thank you so much. I really appreciate that.

Ryan: Absolutely.

Wheeler: Do we have any public testimony.

Clerk: No one signed up.

Wheeler: Please call the roll.

Clerk: Ryan

Ryan: That was one of the best reports I heard in a long time. You got to the heart of the matter. You went from 31 to 123 applicants. You're coming from the private sector and linking the partnership to the private and public is so refreshing. We really need your leadership. Kudos. I'm excited to vote aye.

Clerk: Hardesty

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Hardesty: Thank you once again and your fabulous team. You are certainly helping us become national leaders and thought leaders around how do we make sure we're undoing a harm of one hundred years of really bad policy. I'm thrilled with this -- both these grants that we're putting out and what we're learning through this process. We've learned a lot through the time you've been leading this effort. I expect we'll be learning more as we look at these.

Clerk: Rubio

Rubio: I just want to say congratulations on a very impactful project. We're lucky to you have here. Setting the standard for program as cross the country. That is really important. It's very intentional work. It being very deeply rooted and that it directly meets the funds intent in restorative justice and equity. It's nice to see that meet the intent. I'm interested in seeing how they develop over time. The recipients clearly are doing important work. I'm happy to vote a.

Wheeler: This is a terrific move for this program. I appreciate it. I'm happy to vote aye. The ordinance is approved. Next item is time certain 376.

Clerk: Authorize a three year intergovernmental agree with the university on projects related to emergency management not to exceed \$500,000.

Wheeler: They have been assisted in their work many of whom come from Portland and remain here in our beautiful city post-graduation. We're going to hear from university vice president and psu student. I'm going to turn it over -- thank you for being here. She is going to walk us through the ordinance. While I you have hear, thank you for your leadership over the past year. We've called on you many many times and you've done an outstanding job. You and your team. I didn't want the day to go by without saying that.

Jonna Papaefthimiou: Thank you so much. It's been a challenging year in many ways and such a pleasure and honor to be of service to the city at such a remarkable time. I'm here to talk about a new agreement with Portland state university. For the past few years we've been fortunate with psu. Exercises around climate change and catastrophic earthquakes. They have loaned us their facility to do data analyzation. They staffed the city's resilience action group. Their contributions have greatly increases our bureau's capacity and tap into subject matter experts across the university. Private philanthropy and we're grateful for the commitment they show and we see it aligns with their purpose. The master agree reps the next step in our partnership. It allows to pay psu to accomplish specific tasks for us such as plan update. It's not new money but dollars that we would otherwise spend on one time projects or consulting. Up to five hundred thousand dollars' worth of projects over the next three years. I expect the first task orders will be

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to update our earthquake response plan which is badly out of date. And work with the disaster resilience action group to write a plan for infrastructure. The asset management group on training to operationalize an equity policy. We're already thinking about next year to support Portlanders with disabilities and engage them in our process. We have a lot to catch up on after our last pandemic year. Psu shares our commitment to sharing diverse perspectives and be data driven. Finally this partnership creates an opportunity for us and brings more youthful perspectives to our work. We think it's a win win. I would like to turn it over to psu vice president Kevin.

Kevin Neely: Mayor Wheeler and commissioners. Good morning. It's great to see everybody today. Really appreciate the opportunity to testify. I'm the vice president for university relations at Portland state. I'm primary goal today is to offer my strong support. Before I dive into that effort, president Percy asked me to offer his -- we'll be welcoming back over 20,000 students, faculty, and staff to the south park blocks this September. I'm absolutely certain that restoring the vibrancy of our campus will quickly translate into vibrancy to the city. The president also wanted me to remind you that this is psu's 75th anniversary. This building really embodies -- we'll be sending out an invitation to a ribbon cutting soon. That said, sharing space is not really as important as our goal of sharing ideas and innovation as cross the city and community. That's at the heart of today's intergovernmental agreement. I thank mayor Wheeler for the partnership. It creates space for research driven policy making. They spark ideas across our campus. They truly enrich the livability of the city we call home. What energizes me most is psu's partnership with bureaus opens the door for students as they gain the critical skills they need and transform into jobs that will further improve our community. Many of those students end up right there at the city doing absolutely critical work. I'm so very pleased that she is hear with us today. As we work to maximize the impact we look forward to working with other bureaus to establish other arrangements. A new office of strategic engagement that identify intersection points between the university and community organizations and local businesses. We're very excited about it. It unlocks our potential by bringing together diverse multi disciplinary expertise. This effort will amplify the strong spirit of collaboration that's a hallmark of this wonderful city. I appreciate your time and allowing me to be here today and psu across the board. I'll happily answer any soft ball questions.

Wheeler: You're always selling yourself a little short. You can handle any questions we can put your way. Colleagues, any questions. Stand by. Next we have a psu student. Thank you.

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Rica Perez: Good morning. I'm a first year Master of Urban and regional planning at Portland state university. I'm also a graduate assistant at the institute for sustainable solutions. Over the past several months working at ISS has given the opportunity to collaborate with planners, engineers, and project planners that I will continue to use throughout my career. As a woman of color work with city officials, I have gained confidence in myself and abilities. My supervisors help me recognize my strengths and encourage me to take on responsibilities outside of my comfort zone. What I appreciate the most is their commitment to positive social change. I'm able to pursue my goals such as the mitigation action plan while aligning with my personal values and beliefs and restorative justice. This is an experience that will help me in my future career in food planning and equity. Thank you.

Wheeler: Thank you. We appreciate you taking time this morning. We're excited for you and what the future holds. You're making a notable difference and you just aced it in front of the city council.

Hardesty: I was going to ask you was this your first presentation in front of city council.

Perez: Yes.

Hardesty: I'm extremely impressed. There's a lot of people four times your age that wouldn't have done as great a job as you did. You did a fabulous job. P I want to say to PSU I'm so impressed with continued growth and partnerships that have been created. I cannot thank houseless consortium enough for Portland street response from the very beginning. I am pleased with where we're headed and this deep commitment. Really deeply helping us solve these complex problem. We need your expertise so we can be better and this is a great partnership. My great appreciation for your president and all of you being here with us today.

Wheeler: Thank you commissioner Hardesty. Commissioner Ryan.

Ryan: That was a great presentation. I was looking into what work you have done and where you're going. I want to make sure I put words out on this. Are you focusing on the threat of a big urban fire in the city when looking at some of the natural disasters that we can face?

Papaefthimiou: Thank you. Yes. Absolutely are. Right Portland emergency management is updating the environment protection plan. We've been working closely with Portland fire and joint office of home land services to make plans for this summer.

Ryan: Great. I was digging in a little before the meeting. I didn't see that. I appreciate hearing that. Good work. Thanks.

Wheeler: Do we have any public testimony for this ordinance.

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Clerk: No one signed up for this item, mayor.

Wheeler: Very good. Please call the roll.

Clerk: Ryan

Ryan: I'm very excited for the university opening back up in the fall. Every time there's a break in the session, you could find Portland in south Portland. Bring it back.

Clerk: Hardesty

Hardesty: I'm looking forward to seeing what we accomplish together. I vote, aye.

Clerk: Mapps.

Mapps: Aye.

Clerk: Rubio

Rubio: Thank you mayor, for bringing this forward. Thank you for your presentation. Really impressed by the great work. Very impressed by the student leadership that comes out of PSU consistently. I'm glad to support this partnership to continue to build our resiliency.

Clerk: Wheeler

Wheeler: We should support this. It will only make us much better. I want to add one more comment. Portland state plays an incredibly important role in supporting our community. That is what make it's different than a lot of other universities across the country. PSU has a strong interest in what we do here and helps us to get better here. I'm happy to have chosen a local university. You're taking full advantage of it. That speaks well to you personally and is a harbinger of great things to come. To the regular agenda. Item number 385, please.

Clerk: Tax levy for fy21/22 approved budget.

Wheeler: This provides for a technical correction in order to recognize the first year of the parks local option levy in addition to our existing levies which we approved two weeks ago. To make this correction I'll need to convene the budget committee, read a script, call for a vote and I will adjourn the meeting of the budget committee. They'll be available to answer my questions. With that I'm now convening this meeting of Portland budget committee. The city item number three vote to approve the tax levies. As you know the budget committee approved tax levies on May 13th, 2021 and recently approved the parks option levy. It's full permanent rate of \$4 per one thousand dollars of assessed value. 27 million for the voter approved general obligation principle and interest. 209 million for the obligation of the disability fire and retirement fun. The parks local option levy and point four zero two six dollars per one thousand dollars of assessed

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values for the children's levy. Furthermore the city should levy the amounts listed in attachment e for urban renewal collections. With that I'll entertain a motion to approve the tax levies.

Hardesty: So moved.

Ryan: Second.

Wheeler: With that please call the roll.

Clerk: (roll call).

Wheeler: Does that satisfy you. This meeting with the Portland budget committee is now adjourned. Three eighty six please.

Clerk: Amend contract with SAP to increase the value for software cloud services through June 2022.

Wheeler: This ordinance authorizes continued funding for SAP. It's a city platform used for onboarding, training, for performance management and goal management. The extension of services will negotiate online sap contracts in 2022. The manager Diana is here today to present the ordinance. Welcome.

Diana Allen: Good morning. Thank you for having me. I'm the division manager of the enterprise business solutions team and the bureau of technology services supporting the sap system. I appreciate the opportunity to present this to you today. I did have some slides if the clerk could actually pull those up for me, that would be awesome. You could go to next slide, please. Thank you. I'm here seeking authorization to amend contract with sap to increase the value for not to exceed amount of one million four forty four eight ten for software cloud services through June 2022. Continue funding to support the subscription charges for one year implemented for city wide use. It will be funded by the existing budget appropriations with no additional funding required. Next slide, please. As background sap is an enterprise software wide platform implemented in 2009 and build around procurement and other activities to interface multiple systems across the city. The city manages an immense amount of data and ensures that we have a secure platform to manage city operations. In working with our stake holder as cross the city, we developed a five year road map that was approved by the executive steering committee and aligns with the strategic goals of implementing business solutions. Cloud services allows for analytics on multiple service types and enhance the city's investment in our sap platform. The modules that are supported are the learning management system which allows the city employees to receive and track training for both city wide and bureau specific training. It supports in person and virtual instructor led training and online courses which continues to be

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very important during the significant increase of remote work force during the pandemic. Our recruitment software and when a candidate is onboarded and signs a recruitment letter, the software is there to enhance the experience. By connecting new employees to their teams and online forms and information. It's integrated doc sign and helps to ensure a smooth transition for employment with the city. The third module is performance and goals management. That hosts a performance review process and regular cadence of feedback and support. The software along with the new process that BHR created allows for multiple check points an strong communication between managers and employees to set goals and objectives and set discussions about those and importantly it supports the calibration cycle to ensure transparency on how employees are assessed and rewarded across the same job class. Oversight because these are smaller subscription based cloud application, with low risk they did not meet the threshold for oversight that oversees high risk policy projects which this is not. This is ready for implementation in general 2020 due to the pandemic along with partners chose to delay the implement until July of this year. That will be up and coming. Training is happening now and we're looking forward to getting that under way. The other point I'll make about these three applications is they support consistent city wide processes and are replacing manual and disparate manual processes. Next slide, please. Approval of this ordinance will find public services cloud contracts for one year to coincide with the regional date of or on promise contract. The on promise contract is fully funded through June of 2022. It's the reason we're asking for just a one year extension of this contract. It allows us to use critical support of county wide systems and renegotiate both of our sap contracts at the end of June 30th, 2022. We want to get the best price for the city going forward. Just as another note further funding for the contract exceptions will be included in the base budgets in future years and presented to council at the time of the extension. In summary I'm asking for authorization to amend contract 300-0506 for June 2022. I'm happy to answer any questions you may have.

Wheeler: Thank you. Colleagues any questions. Very good. Any public testimony on this ordinance.

Clerk: No one signed up on this item.

Wheeler: All right. It's an emergency ordinance. Please call the role.

Clerk: Ryan

Ryan: That was a great report. You made your case. It was really clear. I vote aye.

Clerk: (roll call).

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Wheeler: It can only help. I'm happy to vote aye. Thanks. Great presentation. 387 please.

Clerk: Authorize a competitive solicitation and award of five contracts to provide vehicle upfitting services for a five year term and total amount not to exceed \$5 million.

Wheeler: This authorizes city fleet to award contracts to perform vehicle services. Two hundred vehicles for city bureaus and other government agencies. Many vehicles city fleet maintains require nonstandard specialty equipment and tools. City fleet have updated vendors on repair by repair basis. The lack of standard contracts for that work has slowed the volume of repairs, reduced efficiency in some cases and made it difficult to standardize service quality. A Mulley year price agreement will allow city fleet to update more vehicles in less time, stabilize pricing and provide better oversight who perform the work. We have procurement supervisor here today to present the ordinance.

Kathleen Brenes-Morua: Thank you, I'm here to recommend that council authorize procurement services and fleet to enter into five price agreements for vehicle uplifting services for an amount not to exceed 5 million. We issued a request for proposals for vehicle uplifting services. On January 27th we received several proposals. Deemed the following vendors as responsive and qualified proposers. We are recommending awarding contracts to day wireless, pacific service center, pacific truck colors, rc display vans and systems for public safety. They are in compliance with all city requirements and I recommend you authorize these contracts. Jeff and I are happy to answer any questions about the solicitation process.

Wheeler: Commissioner Hardesty has a question.

Hardesty: My question is really around the diversity of the staff who will be receiving these contracts, I noticed a breakdown is two point five million for systems for public safety an one point five million is the next largest contract. Can you tell me whether these are minority or women owned firms or what these firms would do to bring minority or women owned firms into the contract?

Brenes-Morua: These are not certified firms' women or minority owned firms. We did in the solicitation process do outreach and try to find vendors available for these services that were minority owned and none proposed. As far as the work force and what they have committed to do on these contracts, that is something that we'll be work withing the various contractors and encouraging but I don't have specific data on what they are going to be bringing.

Hardesty: That wasn't part of the rfp, asking them how they're going to diversify their work force.

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Brenes-Morua: That was a question that was asked. I don't have specifics about their commitments about the work force they're going to bring forward.

Hardesty: I'm troubled by that statement. We don't know. Whether or not we're going sole source agreements that don't provide opportunities for minority and women owned firms. I'm concerned about that.

Wheeler: Very good, commissioner Hardesty. Thank you for that. Anyone else have any questions before I ask about public testimony.

Clerk: No one signed up for this item.

Wheeler: Very good. 387 is an emergency ordinance, please call the roll.

Clerk: Ryan

Ryan: Aye.

Clerk: Hardesty

Hardesty: No

Clerk: Mapps

Mapps: Aye

Clerk: Rubio

Rubio: Aye

Clerk: Wheeler

Wheeler: The ordinance is adopted. It is not adopted. It's an emergency ordinance. Wow we haven't done this one in a while. I'd like to switch my vote, please. I vote no for procedural reasons. The ordinance fails. I'd like to call for a motion for reconsideration.

Hardesty: Second.

Wheeler: Commissioner Hardesty secretaries the call for reconsideration. We're going to remove the emergency clause. That will give the assistant a little time to work through the legitimate questions that commissioner Hardesty raised. We have a second. Please call the roll for reconsideration.

Clerk: (roll call).

Wheeler: The reconsideration vote passes. 387 is under reconsideration. I would like to remove the emergency designation from the item.

Ryan: Second.

Wheeler: Please call the roll on the amendment.

Clerk: (roll call).

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Wheeler: This is a non-emergency ordinance. It move it second reading. Thank you.

Brenes-Morua: Thank you.

Wheeler: Next item is a second reading 388, please.

Clerk: Authorize a borrowing of not more than of 60 million for the police retirement fund levy for 2022.

Wheeler: We've had presentations on this and other items, we've had public testimony. Any other conversation on item 388. Seeing none. Please call the roll.

Clerk: (roll call).

Wheeler: The ordinance is adopted. Next, item 389. Any further business. Seeing none, please call the roll.

Clerk: Mayor did you want me to read the title.

Wheeler: Yes, of course. There's a lot of efficiency moves going on here at city hall. That's one we probably shouldn't take.

Clerk: Authorize execution of an amended and restated agreement for national and international sports marketing events and recruiting services to extend contract by five years.

Wheeler: Second reading any further discussion. Seeing none, please call the roll.

Clerk: (roll call).

Clerk: Hardesty

Hardesty: I want to say once again how impressed I am with sport Oregon. We asked them to focus on equity and what that would look like. I'm impressed with the progress they have made over the year. I'm happy to vote aye.

Wheeler: The ordinance is adopted. Item 390, also a second reading.

Clerk: Acquire certain permanent and temporary property rights necessary for the construction of the south Portland phase two sewer rehab project through the exercise of the eminent domain authority.

Wheeler: This is a second reading any further business. Seeing none, please call the roll.

Clerk: (roll call).

Wheeler: The ordinance is adopted. 391, also a second reading.

Clerk: Resize sewer and storm water rights in accordance with the fy21/22.

Wheeler: Also a second reading. Please call the roll.

Clerk: (roll call).

Wheeler: The ordinance is adopted. 392, non-emergency ordinance.

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Clerk: Declare surplus real property at water bureau locations and request authorization to dispose of the properties.

Mapps: This ordinance is regarding five water bureau he properties that are no longer needed to deliver water. The water bureau has determined that the public interest is best served by selling each property at fair market value. We have approached the housing bureau to see if they would be interested in purchasing these properties to use as a houseless shelters or affordable housing, they declined to purchase these properties probably because they have been designated water front roads. They have water pump stations and the water tank. We have the pump station, we have the Newport bay tank, we also have the salmon street tank, and finally we have the St. John's tank. Here today to talk about the disposition of these properties is water bureau property manager tom. I noticed that commissioner Hardesty has her hand up.

Hardesty: Yes, thank you. Before Thomas presents. I am curious. I thought all the city bureaus were looking for land to use for houseless self-managed camps. I was surprised to see this item. I know the housing bureau may not want it but is this land suitable for us to put temporary camps on them.

Mapps: Staff both in my office and the water bureau have done a preliminary evaluation of this. I believe that Mr. Klutz is probably best positioned to answer that question.

Hardesty: Thank you.

Thomas Klutz: Thank you very much. Good morning mayor, commissioners, director, thank you for the opportunity to speak with you this morning. I'm the property acquisition and service manager for the Portland water bureau. Thank you for introducing exactly what we have on the agenda today. I'll go through a little bit pf history on a few of these things and commissioner Hardesty's concern as well. These five properties have gone through administration rule 1302 which allows the water bureau and other bureaus to present those to other bureaus to see if they have some need. We started with nine properties. Three of those properties were pulled off the agenda because there was some other needs with both PBOT and with BES. A fourth property in talking about structures and land has been identified as a property that housing bureau is wanting to purchase and will come up with another ordinance after July for funding and various reasons. It's a property they want to use for low income housing. Before you, you have the five properties that all have structures on them. They have high raise tanks, some of them are very small properties but fit the tank site -- foot print very well. We have a pump station that looks like a house. Just a big building in the middle of a neighborhood down on

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Nevada street. What commissioner Mapps is correct. No longer needed, vetted through the water bureau. We have some issues with pulling these down. Commissioner Hardesty in response to your question, these properties that have tanks are somewhat of a danger in that they are locked up under key. There's ladders that people can climb up on these tanks. There's some property underneath them. They are high rise and on stilts. The concrete ones are easier because they are round. We can hollow them out and remove the dirt. These aren't the case. They are one hundred feet in the air. They take a little more doing in terms of making them ready for a possible folks below them. The concern is we've had a lot of people climb these tanks, paint various tanks around the city. It's one of those places where it's a tougher area. We're concerned about the safety going forward. There are some discussion points, public comments that came in that I've generalized in exhibit d. Certainly I have e-mails and that type of thing regarding that. With that, again, we are going -- we have evaluations going on three of the tanks because they have cell sites and revenue to the city. It will make a difference in the value when we go to sell it. We're waiting for those to come in sometime in June. With that I want to thank you for all your support. If there's any questions, I would love to answer those.

Hardesty: Thank you. I don't guess you still have made the case to me why we're not trying to use as much available land as possible knowing what our current situation is -- what I heard you say was we would have to do something to make that space safe for people to be there. That doesn't mean we shouldn't make it safe for people to camp there. I'm not challenging you, but I'm challenging my colleagues. Why are we selling land that we could use for other purposes? We have a crisis, let's act like we have one instead of doing what we always do. Is that the right thing for us to do at this moment?

Wheeler: Mapps

Mapps: I understand and share your concern. I think one way to understand the challenges of housing people at these properties has to do with the cost of taking down these tanks. Can I ask Thomas, do you know how much it would cost to take down these tanks?

Klutz: We don't. WE have somewhat of an idea from the low of \$90,000 to \$175,000. Later this week I'm going to have a conversation about doing this in the future. Do we want to take on that exercise to see what it's going to cost us.

Wheeler: Sure. Very good. Any further questions for right now.

Ryan: I appreciate the dialogue we're having right now. We need to have this dialogue because when I hear the numbers, they didn't blow me away. It's going to take some money to reconvert

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sites to the villages that we need to build. We had had some preliminary dialogue for using emergency funds for efforts. Building affordable housing is different than how we're going to look at the site of villages. The mindset has to shift from the read of the housing bureau for affordable housing structures to now looking at the sites for villages with services. Thank you for this conversation we're having right now.

Wheeler: Thank you. Commissioner Rubio

Rubio: Thank you for opening up the dialogue on this. I appreciate having the ability to ask these questions. I do -- I am curious, it's a related question but actually towards commissioner Ryan on what the update is and we're reminded of how much time we have.

Ryan: We have the weekly meeting that our office coordinates. We're looking to bring an ordinance to the council the second week of June and it's all about locating these sites. This is so timely. We did the shelter to housing ordinance work, zoning work. We have to move it into actual action and implement these ideas. I would say stay tuned for the meeting tomorrow that all of our staff attends. We'll keep moving this along. I think this item, we have to be very careful not to rush this. These are part of the discussion of where those properties are. It always sounds easier to find these properties than it is. It's important to take a pause and have some top of mind dialogue about the need for these sites.

Wheeler: Commissioner Hardesty

Hardesty: Based on this dialogue, I think maybe, I don't know what commissioner Mapps is thinking base on this dialogue. I would be comfortable with tabling this until we have an opportunity to investigate whether or not it would be cost prohibited to use this land for temporary shelter. It would be silly of us to sell it instead of investing a couple of dollars to make it available for folks that are houseless. I don't know where commissioner Mapps is on this but I would recommend tabling it.

Mapps: I'm fine with tabling this item. I do think there's some productive conversation that we can have about the mechanics of how we might move forward with exploring how to use these properties more fully. If we want to table it, that's fine. Maybe we can have a staff level discussion or council level discussion.

Wheeler: Why don't you think on that, I'll go back to commissioner Hardesty.

Hardesty: I was going to support the recommendation; it might be helpful if we had these before we had the full list if the bureau would come with information about what would be the cost to make it usable. If you have a tank in the middle of the lot what would it cost to take that

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tank down. As we're working our way through this. I know all of us have the right spirit. The question is just timing and how we get what we need in that time period. I do think if we're going to be considering this anymore of these land sales, it would be very proactive to come to council ready to say, and if you wanted to use it for an alternative purpose, this is what it would cost to make it usable.

Gabriel Solmer: We can get that information for you. We might also want to look in this process at when is the appropriate time in the surplus process to -- we do offer the land to the other bureaus. Maybe there needs to be an adjustment to that process to make sure earlier in the process we're asking to consider for all of these purposes. Housing looked at it for affordable housing and structures. I don't know that we're far enough along for the needs that council is mentioning today. I don't know that's a flaw in the process but adjust it given what we know now.

Hardesty: I agree with you. It's new thinking on our part. Rather than the first thing saying, do you want to buy it. First thing would be whether or not this would be appropriate for temporary shelter. Sorry, I don't know if that means we have to do something at the council level in order to just direct bureaus to do that. When I saw this, it struck me that wait a minute are we go to go sell this and we haven't had the other conversation. I think this was a healthy conversation. I guess the question for us as the elected is how are we going to direct our bureaus as we're in this middle ground.

Solmer: That would be really helpful to have a conversation and let us know how we can carry out what the council wants. It may not be necessary or really advisable to have the land be still in the water portfolio depending on who is going to do the management of that. That's my consideration is at what point in the process do we sell or transfer the land to the right organization whether that's within the city or not that can do -- that works so we don't have it caught up in land that the rate payers are paying for.

Wheeler: That gets to my question. This is going to require a change to established code. Or established city code, correct around the disposal of surplus lands. Particularly in our utility based lands we've been sued previously for not seeking the highest dollar valuation of our assets. We've been successfully sued I believe on that front, in fact. This would require us to revisit city code and entirety of the disposition policy and a legal analysis consistent with what we now know about less than full economic value for our rate payers. Is that something we can do quickly or is this something that's going to tie these properties up for another two years?

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Solmer: I think we can certainly find out what the costs are and who would bear the costs whether the rate payers can make these properties whole for the other intended purposes. We would need some legal discussion about that. We can expedite the conversations with the city attorney's office and find that out. The changes to the disposition process would take a little more time.

Wheeler: I'll turn this back to commissioner Hardesty in a second. Wouldn't we have to be there along with the bidders and win the bidding?

Solmer: I believe the disposition process allows us to transfer the land within the city before we get to the bidding process.

Wheeler: Do we have to provide a market rate as determined by somebody?

Klutz: That's correct.

Moynahan: Without getting into any legal advice, the issue of the courts was not paying the full market rate it was making sure that expenditures reasonably related to the provision of sewer and water services. The issue related to the quarts was not paying the full market rate. We have not litigated the necessity to sell property or pay the full market rate.

Wheeler: That's good to know. Commissioner Hardesty then Commissioner Ryan.

Hardesty: I'd be careful what to ask you can see how many cans of worms get opened up. As we were having this conversation I realized it would get more complicated when you add different jurisdictions when you add them into this land bank opportunity. It may be appropriate to get legal advice early as we stage how we do this within the city of Portland so we don't go down a path that leads us to unnecessary litigation. We all have a lot of work to do. My question is that we are still in a state of emergency. Being in a state of emergency gives us more flexibility than we would have if we were not. I don't know what that means as far as rate payer bureaus. I'll stop talking now and turn it over to my colleague commissioner Ryan.

Ryan: This is a conversation that was on the dais three years ago maybe we would have a different response. Here we are today and bringing forward an ordinance that people want. We have to be creative and resourceful. It won't be easy to find these properties. Timing is everything. Communicate need it mute. Timing is everything. I want to thank you Thomas for being with us during this moment of action. I look forward to the conversations that will take place at the task force process that takes place tomorrow. Thank you for this conversation, I know it didn't go in the direction you would imagine.

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Wheeler: Any other questions before I ask about public testimony. Do we have anybody who signed up? If we did, I want to hear them out.

Clerk: No one signed up for this item, mayor.

Wheeler: The next step commissioner Mapps.

Mapps: We can table it. Let's have further discussions at staff level, obviously there are a lot of complex issues involved here especially because it's a rate payer bureau. We have some constraints which are unique. It's worthwhile to have additional conversation. I want to pull in director here to see if she has a recommendation.

Solmer: I completely agree. These are parcels that we have deemed surplus that we don't have need for water needs. We don't need to do maintenance and keep these up while the conversation is occurring. We can certainly give the council the time and space that it needs so that we're making the right decision on the disposition.

Mapps: Thank you, director. Is that enough guidance.

Wheeler: Yeah. I think so. We'll call that referred to your office. That was a great discussion. We're at the price of admission for all of this. Thank you all and thank you commissioner Mapps for your flexibility on that. Item 393 is a second reading as one after it is as well.

Clerk: Authorize the rates for water and water related services beginning July 1, 2021 to July 30, 2022 and fix the date.

Wheeler: Any further discussion? Please call the roll.

Clerk: (roll call).

Wheeler: That's why we do stretching exercises so we can reach the mute button. I vote aye. The ordinance is adopted. Item 394 also a second reading.

Clerk: Collection rates and charges effective July 12021.

Wheeler: Any further discussion on this item. Seeing none, please call the role.

Clerk: (roll call).

Ryan: I think my mouse needs a new battery.

Hardesty: That is old school.

Wheeler: It's with a horseless carriage, my friend. I vote aye. The ordinance is adopted. Why don't we skip one and get rid of the last second reading so I don't forget it. Item 396 is also for a second reading, can we take care of that one, please.

Clerk: Amend fee schedule for tree permits.

Wheeler: Second reading, please call the roll.

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Clerk: (roll call).

Wheeler: Next up. 395, a report.

Clerk: Update the tree code and forest management plan.

Rubio: Back in January 2020, City Council resolution directed Portland parks and recreation and the bureau of development services to return to city council for a high level scope of work. Improving the city's tree code and management of forest infrastructure. The report was developed by Portland parks and recreation and the bureau of planning and sustainability. I'll turn it over to commissioner Ryan to also share his comments.

Ryan: Thank you. Bureau of development services partners closely with parks to administer title eleven in private property development situations. The two bureaus work collaboratively along with the planning and sustainability to bring amendments to title 11. Portland parks and recreation has served as the lead bureau in developing this additional scope of work while working in close coordination with bbs staff. We look forward to the report being presented today and partnering with Portland parks and recreation. I want to acknowledge them for being a part of the Portland park task force. I hope some of the resources from the levy will be able to provide for resources for parks as we continue to have this coordination of permitting throughout the city. With that I'm going to turn it over to you.

Jenn Cairo: Thank you, commissioner Ryan and commissioners and city council. Good morning. I'm the city forester and urban forestry manager. Today I'll be providing a brief overview of the management functions and plans for fought you're tree code amendments. I want to appreciate the work on this and the title eleven amendment projects recently completed. And Brian I think will be presenting a slide show, I think for y'all. Thank you. Trees are essential in cities. An urban forest is a city infrastructure system. Some illustrations why are listed here. Research shows the lack of green infrastructure is a significant predictor of mortality for low income communities and urban areas. Here's some information on Portland's forest. About a third of Portland is currently covered by trees. An average of 50% could realistically be achieved. Ninety thousand vacant tree spaces. Three times as many trees on private property in Portland as in parks or other city owned or managed properties. It was valued at \$5 billion and we'll be updating that soon with the united states bureau of forest services. You see here how the group is organized. The permitting and urban forestry includes the tree service center or single point of contact for trees. Urban forestry is the primary implementer of title 11 and permitting and regulation leads that work. In the middle is operations and arborists. Planting, removal, and pathogen management

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on all city owned and management upon request. Twenty four seven services for publicly managed rooms and properties. Science outreach and planting is responsible for forest research and analysis such as mapping and inventories. They conduct tree stewardship projects. Fourteen thousand volunteer hours. It's a significant number. Technical specifications and policy development is another area this group works on. Street tree planting specifications. They lead public communication and education like websites and public workshops and programs across the city. They lead our efforts on tree planting on parks, and monitoring and reporting on tree planting outcomes. The city forester leads and manages the division. Policy and infrastructure is where the tree forestry resides. This is an 11 person volunteer committee that advises the city and serves as an appeals board in certain situations. Urban forestry is the lead implementer of tree code. That was adopted by council in 2011. Implementation occurred in 2015. Enhance the quality of urban forest and optimize the benefits that trees provide. Property type where the tree is located. Here we see on the slide, the row titles, private property trees, and street or city trees. Those that are managed by the city. They are organized by whether urban activity is required or in the. Three quadrants of the code so to speak, the bureau of development services specifically private property during development, urban forestry is also implementing private property development. Title 11, the tree code is an implementation tool of the urban forest management plan. It's a city of Portland's plan for the city. Parks and private property and streets as well. It's an overarching provision. The lead implementer and coordinator. We see the three urban forest management plan goals. Plan is outdated and needs to be renewed; however, resources haven't been available for the update. The city code calls for updating every ten years. The short comes include the lay on equity and say on climate justice a topic in which trees play a key role. Trees are dramatically and inequitably distributed in the area. Portland is thought of as a green city. East where 80% of Portlanders live tree cover is the same as in Los Angeles. Dramatic interest and analysis in managing the tree crisis. Adjacent property owners. Trees are part of city property. Summer temperatures being 15-degrees lower than along streets without trees. A known barrier and perpetuates the services we see to Portlanders. It's often unnecessarily eliminated due to challenges with inter-bureau coordination and support for trees. All of these things disposed to proportionately effect black folks and communities of color. I'll report on plans for tree code improvements. In 2020 amendments to title 11 recently. A high level scope of work for further improvements and funding needs. We're reporting on that scope of work. Over the past five years, the first years of tree code implementation feedback on title 11 has been collected and

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documented. It would particularly benefit from review and improvement. Key benchmarks include in 2016 an oversight committee was convened and recommendations for code improvements. Surveys and analysis from the first year of code implementation were compiled and reported also in 2016. Growing a more equitable forest a two year stake holder based strategy was completed in 2018. Surveys of Portlanders, tree code amendments and advice from the planning and sustainability commission and direction and comments of city council. That community input from those sources resulted in these goals for the amendments. Improve efficiency in tree regulations. Resolve efficiencies within the tree code. Provide tools of better implementation of regulations, make sure it aligns with city policies including an updated urban forest management plan. Growing a more equitable forest and Portland's climate action plan. The proposed scope of work has three sequential parts. Phase two will update the urban forest management plan. It will include significant outreach and engagement with partner bureau, stake holders, and the community over about two years. We'll be estimates of funding needs over the next year. Phase three will develop more substantive amendment proposals. Data analysis and more public -- Next steps a coring to our phase of work would run through winter including urban forestry commission an planning an sustainability commission hearings. Returning to city council with proposed technical and minor amendments. Continuing to develop the project plan an funding resources. That concludes our presentation on the scope of work, I'd be happy to take any questions.

Wheeler: Very good. Excellent report. Thank you. That was thorough well sequenced easy to follow. Questions. Otherwise I'll take a motion to accept the report.

Hardesty: So moved.

Wheeler: Can I get a second, please. Any further discussion on the report? Commissioner Rubio seconds. Any further discussion? Please call the roll..

Clerk: Ryan

Ryan: I enjoyed our conversation yesterday as well. We had dialogue about the challenges of Portland short blocks, if you will. The competing needs with pbot and other bureaus and trees. You educated me that oak trees are really good tree it grow that take less water and provide great tree canopy. Keep looking into with more residential responsibility with upkeep, that's an expense that I know some fixed income seniors in my neighborhood that are trying to go live in place are challenged with. I want to know how we'll be able to help with that. All of that said, I appreciate the dialogue that he had up to this, I vote aye.

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Clerk: Hardesty

Hardesty: Thank you commissioners for this presentation. Thank you very much Jenn for your thoughtful presentation. I agree. I think this is excellent work. I think it's a great framework. I share commissioner Ryan's concern about the ultimate impact especially in areas that have very limited tree canopy right now. If we're about equity how do we make sure that other areas especially east Portland which is my home has access to the beautiful canopy that is accessed by southwest Portland. We have to have standards in place. This is a good upgrade. I hope we continue to monitor the impact as we continue to plant trees due to tree deficit through no fault of the community itself. We have to figure out how to do better but this is what we have today. Thank you very much.

Mapps: Clerk

Mapps: Thank you for this report. I look forward to seeing this report and work move forward. I vote aye.

Clerk: Rubio

Rubio: Thank you to Jenn, and Brian and Nick for their thoughtfulness an inclusion of different resources to create this scope of work that results in long overdue updates. I want to thank bds for developing this report and administering title level 11. I hear my colleagues concerns about monitoring how this goes along. We'll continue to monitor as we go forward. As we face our climate crisis, tree canopy is a key strategy for us. We need to manage it in a way that we do other kinds of infrastructure like streets. They might think upon first look that Portland is plentiful with trees. There are areas that have less trees than Los Angeles. This. These areas tend to be where black and indigenous minority communities live.

Wheeler: Thank you. The report is accepted. Thank you for the presentation. With that I'd like to finish item number 378. We'll go 396, then to the four fifths item.

Clerk: Authority the director of the office of violence prevention to authorize special grant agreements.

Wheeler: I'd like to propose an amendment to clarify that the director is authorized to execute grant agreements and amendments through June 30th, 2022 when the council allocates special grant funds to the office of violence prevention by ordinance. Safety director Mike is here to answer any questions my colleagues might have. It's my understanding that I will need to make that motion and get a second on it. Let's hear from Mike -- .

Hardesty: I was going to second that.

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Wheeler: Thanks commissioner Hardesty, I appreciate that.

Mike Meyers: I'm the director of community transition safety director for city of Portland. Your amendment spells out the issue at hand. It was titled the gun violence reduction ordinance. The office to be a signature authority to distribute grants to grantees. There was some clarifying language that was needed and we put it into an agenda item. I think the amendment today puts a time limit on that which will make people more comfortable. Thank you for the amendment today.

Wheeler: Thank you director Myers, Commissioner Hardesty.

Hardesty: Thank you mayor, and thank you director. I appreciate the mayor's amendment but director, I'm also concerned that there appears to be two applicants that did not go through a formal process that seem to have been added just before the city council was taking a vote on the ordinance. You and I spoke about that. We spoke about it on council. I want to make sure that the money that goes out the door, that all the programs we have a history of working around gun violence reduction and the two newer ones that popped up out of nowhere, I would appreciate you not putting grants together for that until we can have a deeper conversation about where they came from. What was the application process? It just didn't look like it was transparent to me and my colleagues. I know that there are some that we desperately need to get out of the door, the other ones were not part of the original process. I would recommend that you report back to users about what you find about those two late additions and what your recommendation is for us moving forward on allocating those resources out.

Myers: I can do that commissioner.

Hardesty: Thank you.

Wheeler: Thanks commissioner Hardesty. Commissioner Mapps.

Mapps: I support the amendments before us today. In the end I'm going to go vote aye. The spending authority that we grant our bureau directors, I believe this initiative gives director over at OVP some remarkable powers to move dollars out the door. There are urgent needs for that. I'm glad to make this move towards expediency. I think it points toward a broader set of issues that apply to other bureaus. I would like to come together and develop a city wide fix. I hope as we move forward we can find space to have that discussion.

Wheeler: Thanks commissioner Mapps, Commissioner Rubio.

Rubio: I also just want to echo the idea that we are all watching this to make sure that it's expedited and processed in the way that we as council and the community intent. I've talked

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about director directly and our staffs are very involved in this discussion. Also the community is very involved in this discussion. I'm comfort with our staff and director with office of OVP that all approvals will be vetted with partners within the task force as well as our weekly check ins with the office. I looked at this and I'm pretty comfort. I want my colleagues to know that as well. I appreciate director being here. We'll continue to be on top of it and have more discussions with our team.

Wheeler: Commissioner Ryan

Ryan: Thank you, mayor. Actually I just want to say ditto. Thank you. I'm following you. I appreciate the words that were just said. Really happy to know that you are connected to this work. That we really get strategic about what success looks like. And that this is really compelling and difficult work. Having your lived experience and leadership collaborative leadership involved really is, this is a great amendment. Happy that we're having this conversation.

Wheeler: Thank you. Do we have any public testimony on this item? Please call the roll on this amendment.

Clerk: (roll call).

Wheeler: The amendment is adopted. This is an emergency ordinance. Please call the roll.

Clerk: Ryan

Ryan: Great conversation. I vote aye.

Clerk: Hardesty

Hardesty: I want to really thank commissioner Mapps, rubio and Ryan for working out this process in the beginning and thinking thoughtfully about how we can invest money in gun violence reduction. The programs have been enhanced and play a huge role in helping the community address the gun violence. I'm grateful that mike is at the helm and looking at this strategically and looking at it through a community organization lens. I vote aye.

Clerk: Mapps

Mapps: Aye

Clerk: Rubio

Rubio: Aye.

Wheeler: Aye. The ordinance is adopted.

Clerk: Proclaim June one, 2021 to be black wall street day.

Wheeler: Commissioner Hardesty.

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Hardesty: Thank you, mayor. Thank you for cosponsoring the ordinance that is in front of us today. The ordinance is an acknowledgement of one of the worst race riots in the history of the united states of America. I'm referring to the Tulsa Oklahoma riots. We're bringing this up because it was considered at the time the black wall street. It was a place where black community members were thriving and it was actually around 1901 where that community was established. If you know the history, what you know is that there is some anger that there were 11,000 black resident that's were thriving an economically prosperous and other white residents that weren't having the same economic success decided that they would actually destroy this town. We have invited today to provide public testimony Marcus who is the president of the coalition of communities of color. Are you representing the black chamber of commerce?

Mims Rouse: I'm the founder of afro tech.

Hardesty: Thank you both for being here today. Mayor, if it's okay I'll turn it over for their presentation and come back and read the resolution.

Wheeler: Perfect. Thank you.

Marcus Mundy: Thank you commissioner and mayor. I'm the executive director of coalition of communities of color. We're a coalition of non-profits focused on improving the lives and livelihoods and the same economic factors embodied by the facets of that community. Development and implementation has great economic implications and the wealth gap and other efforts. We believe in prosperity and opportunity for all Portland residents. Thank you for issuing this proclamation and recognizing this devastating event. Thank you for inviting me to speak today. I'm here to reinforce the messages I received when I read the proclamation despite egregious inequity because the power of hard work and dedication coupled with opportunity can never be understated. You commissioners have incredible power and the responsibility to make choices benefiting all Portlanders. Oklahoma chose segregation as its first official proclamation. The early choices you make will have lasting impacts. This proclamation is a reminder of that. The power of accusation whether founded or unfounded has a cancerous effect on individuals. We must be vigilant. It started with an act -- there's nothing less than the lives of Portlanders at stake when you make your decisions. The proclamation notes that certain events set the stage for the largest race riot and massacre in our state's history. This is where I diverge from the statement. I submit our largest race massacre occurred with the thousands upon thousands that occurred during the transport. Or those happening today. Recognizing black wall street requires that we mourn and fully dismantle systemic racism. Black wall street

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shows us what is possible when communities come together and draw upon their strength, cultural assets, and relationships. Through economic justice, community development, addressing social determinants of health and more can create the conditions where black and other communities of color can build flourishing neighborhoods where all Portlanders can celebrate. It's my hope that this council continues to not just acknowledge but address issues of inequity addressing the city. We're going through a reckoning. It's going to slow. Recognizing black wall street and this massacre that occurred means we must learn from this history and take action. I'm proud that Portland have elected Portland of color including three of you commissioners sitting here today. Representation is not enough. We must complicitly adopt the policies past and across all of our bureaus. I thank you for this proclamation, the recognition of the work ahead, and the opportunity to address all of you today. I look forward to hearing from my friend Mims.

Rouse: I'm the director of the organization for black men. I'm the founder of an African American tech firm learning that Portland is proclaiming wall street day. The spirit of African Americans, I knew it had to exist in some form. It just made sense to me. I was born in the south. I know what it's like to cross a certain street in town and immediately feel safe, free, and capable. I know what intention that exists when whites feel you are in the wrong space. From birth my parents introduced me to the constant precarious race dance that plays out across America. And the miss steps that occur when the music stops. As I grew older I saw a photo here and there from black wall street. Nothing really captured its essence. This changed one day. It happened shortly after we elected our first black president. We're all proud in our African American communities. This prince of a black man was not the first man suited to be president. Family friends and colleagues posted photo after photo of presidential black folk from back in the day. Inevitably someone posted short brainy inputs from black wall street. I saw elite black women dressed in furs with brilliant white gloves. Black men posed in business suits. I saw what I assumed was multi-generational wealth. I then fully understood the adage American streets are paved with gold. Reconciling the film clip with what I knew of America, I surmised that the situation was actually a powder keg. I know they are faked; I grew anxious for their safety each time I view it. I arrived in Portland over eight years ago for a job with a fortune five hundred company. Here they wear their sheets on the inside. I hope future preventative actions as well.

Hardesty: Thank you. Mayor, would you like to see if our colleagues have questions before I read the proclamation.

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Wheeler: You bet, commissioner Mapps then Rubio.

Mapps: Thank you for bringing this proclamation forward. I would like to express my appreciation for the comments offered. I'm grateful that this council is taking a moment to recognize black wall street day. This afternoon we paused to remember what has to be one of the darkest moments in race relations here in the united states. Of course, as we've heard this proclamation refers to anti-black riots which occurred in Oklahoma in 1921. Back then between May 31 and June 1 more than thirty five square blocks of Tulsa black wall street neighborhood were burned to the ground. Estimates of number of people killed range from 75 to 300. Most of those were black. For historical comparable we'd have to look at some of the most brutal massacres of native Americans. If you're like me, black wall street day leaves you with some questions. This moment speaks to us but what does it teach us? I'm struggle withing that still. That's why I appreciate the opportunity to think about the moral meaning of black wall street day with you. As we enter black wall street day I'm not going to tell you what to think, I invite to you join me in thinking about these three questions. First, how do present day race relations in Portland compare to race relations in Tulsa in the 1900's. I suspect some things have changed but I assume some things have stayed the same too. Do racial spasms happen in places like Portland? There, what can Portlanders do to make sure that Tulsa never happens again. Of course there are many other questions that this episode should cause us to think about. I hope that we do. I look forward to hearing your views about how Portland can evolve into a safer and more equitable city. I thank everyone joining me on May 1 to commemorate black wall street day.

Rubio: Thank you to my colleagues for bringing this forward. Thank you for your very important comments. As we remember this anniversary of what happened in Tulsa we must hold space to reflect on how black life, wealth, and community have been under mined in our own community here in Portland. For us as policy makers and responsibility to do better. The racist history of planning in the city of Portland. They went back over a century about how white leaders kept multi-generational well in their communities and families. What they did over our history and the terrorizing and massacre of the black community by the violent mop in Tulsa in just one night reminds us that the vast communities present in our black communities cannot thrive if there is not the presence of accountability, justice, and the pervasive fear of black economic success, black communities thriving continues to quietly live in our behaviors. As a member of the Latina community our struggles are rooted in different experiences. It's a reminder that we

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do not forget this terrible history but continue rejecting that we repeat this physical and economic violence that's occurred and we're accountable to that history and we uphold the dignity of all lives and particularly black lives that matter here in Portland.

Wheeler: Commissioner Ryan

Ryan: Thank you commissioner Hardesty for bringing this this forward. Tying it in to terms of what is relevant in our own backyard. Early choices have lasting impact. I'll just tell a little bit of a story, I have connected with this. I was asked to work with the new ed in Tulsa. She was very hesitant to talk about this. She said there were some very difficult things in the past that makes talking about racial equity very difficult. I pushed a little bit more and asked what she was talking about. She really didn't articulate it very well. Five years later a new person was hired and we were on this national equity committee together. She told the truth. It ended up taking over the entire session which was wonderful. This was like six years ago in a national conversation about a hundred people from across the country. I say this because I was taken by your comments where you said that you would hear bits and pieces and saw the Facebook. I had an experience that was similar to that. Finally, the HBO series watch man showed up and people suddenly all wanted to act like they had known about this forever. That's not true. Most people just started finding out about it. I'm always blown away how these gripping poignant harsh realities of the past take so long to be remembered. I appreciate both of you being here and giving us great testimony this morning. I appreciate us taking a breath and talking about this morning.

Wheeler: I want to say briefly how much I appreciate this being put front and center. I want to thank you commissioner Hardesty. I want to thank our speakers. This is an extremely difficult period in US History. There's really two ways in my mind as I look at what's going on, as I serve as a white man as the mayor of a city in the midst of both a national and a local reckoning around race. I have a lot of thoughts, none of which I can necessarily put in a coherent form today. At some point, I will. I have lots of thoughts about leadership. I have lots of thoughts about my own role going forward in that leadership around what it really takes to make the kinds of sacrifices that are ultimately necessary for us to not only make this a moment but a transformational moment for our nation and community. I'm often struck by the metaphor that reverend doctor Martin Luther king said about the beloved community. Is that possible and what does it take to get there. There's the first assumption that you need love. Something that I would argue is in very short supply right now. You cannot have love without communication. By that I mean, not just communicating with people who are exactly like we are but in fact, communicating with

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people who are fundamentally different or have history's different circumstances. We don't do that enough in our society. You can't have authentic communication without understanding. Understanding is the essential element. I often think about what our role as city commissioners is. We're not the top of the food chain by any stretch of the imagination but because we're close to the bottom people rely on us even more. We're not -- I often think what does it take for to us get to understanding. It's moments like this that we come to understanding. It is through a clear eyed and frank and objective understanding of the history of this nation and the history of this state and the history of this community. We all have a role in developing that understanding and creating that communication. I want to be clear. I didn't say we all have to agree. I said we had had to have understanding and appreciation for where other people are coming from and having that authentic an open communication which then leads to a sense of love. We can still love people we disagree with. That ultimately gets to where reverend dr. Martin Luther king hoped the community could find itself in the midst of a beloved community. This is an important historical acknowledgement that we're making here today. I do not want to open a can of worms. I do not want to detract from the importance of this issue. I will simply relate a fact to you. The fact is this. Not a week ago, I was standing in a church, a black church in Portland Oregon. Northeast Portland right in front of a podium that Doctor Martin Luther king preached from. In the midst of a group of black leaders who were seeking a nonviolent solution to gun violence. Whether you agree or disagree that was their intent. While having that press conference to make the call to the community for people to come and support the notion of nonviolent means of resolving conflict, a group of white people were trying to break down the door of the church and gain entrance, right here in Portland Oregon a week ago. That tells me how far we have yet to go. To really have understanding. I try to have grace; I try to have compassion for all. I don't know what drives their anger or their frustration. I just know it was deeply miss guided. It contributes to the perpetuation of a culture that continues to create trauma and harm to our black community. As a white person, I'm speaking to those white individuals and telling them they need to come to the center in a better way seeking understanding. That's what we need in this community and in the state and in the nation. I'm prepared to do my part, colleagues. Commissioner Hardesty, I really appreciate you bringing this forward. I understand it was brought forward by my office. This was something particularly important to you. I want to acknowledge it and appreciate it. It's important learning moment for all of us. It's important to do as we do with Memorial Day to take the time and spread

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understanding or at least start an important dialogue. With that commissioner Hardesty back to you.

Hardesty: Thank you mayor, thank you colleagues. Thank you for providing such compelling testimony. Before I read the proclamation. I want to center us as to where we are in Oregon. Can we honestly say that we're an equitable city that treats everybody the same. It wouldn't take me a second to say, nope, not even close. We know all the social determinants of health, native Americans continue to be at the bottom. Whether we're talking home ownership, business attainment, education attainment, et cetera. Across the board. African Americans continue to be right on top of them. My Latino brothers and sisters are right on top of them. If we were a state who we thought and say we are. Wait, that can't be. How do we fix this? Where you look, you lack at our criminal justice system. Every step has racism built into the very fiber of it. All the data shows that from its inception it's continued to overrepresent black and other people of color. As we think about black wall street, we can't forget that we had our own right on front street downtown here in Portland. It disappeared when white people decided they wanted to be downtown. Gentrification happened and we see that every twenty years or so whether we want to or not. As we come out what has been the most challenging in the history of the united states of America. After we're through with the crisis coming at us. Who will we move as we move to 2021 to 2022 and 2023. There's no zip code in the city of Portland that African Americans would not be housing burdened. Black people cannot live within a city boundaries without being price burdens. Native Americans only have a couple of zip codes. I know the same is also true for Latin x. We have to be careful how we count Latin x because sometimes we hide them in the white numbers. I'm so pleased the mayor supported bringing this resolution back. As we start rebuilding and continue to say we're centering bipoc voices. This is what we have to center. Economic prosperity and generational wealth to ensure that the African American experience isn't tied to political will or political whim. It's tied to an economic structure that supports the viability. We have 14 programs that are supposed to benefit women and minority owned firms and not one of them has ton what it's set out. Do we have the political will and community will to make it happen? These are the conversations that we need to continue to have. I know it's uncomfortable in the pacific north west to talk about race much less racial accountability. If we don't we'll be here 20 years from near looking at the same demographic data and wondering where we failed. Thank you. I'm going to read the resolution now. Despite segregation and Jim crow laws black wall street had a thriving ... (reading proclamation). I do here by proclaim June 1,

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2021 to be black wall street day in Portland in observance of the worst black race violence in the history of the united states. That concludes my presentation, mayor.

Wheeler: Thank you so much commissioner Hardesty. Thank you colleagues. Thank you for your presentations today. Very important note to end our morning session on. Thank you all. We are adjourned.

At 12:27 p.m., Council recessed.

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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. The official vote counts for council action are provided in the official minutes.

Key: ***** means unidentified speaker.

May 26, 2021 2:00 p.m.

Wheeler: Wednesday May 26, 2021 afternoon session. Good afternoon, Keelan, can you please call the roll.

Clerk: Good afternoon, mayor. [roll called].

Wheeler: Under Portland city code and state law state law, the city council is holding this meeting electronically. All members of council are attending remotely by video and teleconference and the city has made several avenues available to the public to listen to the audio broadcast of this meeting. The meeting is available to the public on the city's YouTube channel, e gov, pdx, www.Portland.gov/video and channel 30. The public can also provide written testimony to council by e-mailing the council clerk at cctestimony@PortlandOregon.gov. The council is taking these steps as a result of the covid-19 pandemic and 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. Now we will hear from the legal counsel on the rules of decorum.

Lauren King: Participating in council meetings, you may sign up with communications to speak about any subject. You may sign up for public testimony on resolution and first readings of ordinances. The website instructs how to testify. When testifying, state your name for the record and your address is not necessary. If you're with organization please identify it. Individuals generally have three minutes to testify unless otherwise stated. The presiding officer will let you know how long you have. No disruptions will be tolerated. Please be aware all council meetings are recorded.

Wheeler: We have one item this afternoon. 397, please.

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Clerk: Amend the zoning map, title 33 planning and zoning and the title 32 signs and related regulation to implement the design overlay zone amendments project to update the process and tools of the design overlay zone and related code sections.

Wheeler: We will start with the bureau of planning sustainability, Sandra Wood, good afternoon.

Sandra Wood: Good afternoon. I'm going to share my screen so we could get started with this afternoon's conversation. Thank you for having us today. We're continuing the conversation from the DOZA hearing that was held two weeks ago on May 12th. This project improves every aspect of the design review program. As you might remember, everything from the rules about how projects are reviewed to who reviews them and what criteria are used. To refresh your memory, this is amendment to the zoning code and the map. We're in land use hearing continuation. Council is engaged in pressing issues at this time. We want to remind you that this tool for the design overlay zone is used on 60 percent of the new housing units we expect in the next 20 years. So all of the discussions that we have today affects that many units. We feel these tools help Portland built back as the economy recovers and making it easier and quicker for new construction to take place. At the same time the tools advance the community's goals for creating great urban places that Portland is known for and will last for many years to come. That's why we're here today and thank you for attention on this matter. Our staff team is comprised of planners from bureau of planning and sustainability and development services as shown on this first slide. Laura, phil and I will present on behalf of the team. We also have a couple of other colleagues here from different bureaus, Courtney Duke and from the housing bureau, Jesse Connor in case we needed their assistance in the discussion today. Let me go to the next slide. So for today, we'll recap what we heard from public testimony on the 12th and written testimony. The staff will present these issues which are what we've been discussing with offices in city hall. No amendments being proposed. There won't be motions today. That will come later. I'll share that in the next steps. Our plan is to share on these subjects the pfc's recommendation and the any ideas that came up and pause for each one and have the commissioner discuss each one as we go along. I hope that works for you. We'll stop at the end of each one of these. Thank you, Commissioner Hardesty, thank you for your thumbs up there. I'll ask phil to recap the testimony. He's been reading the testimony so he has the best pulse on that. I'll have him share with that and we'll get started with issue number one after that. Thank you.

Phil Nameny: Good afternoon. Bureau of planning and sustainability. Just wanted to recap both

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what we got -- received in writing and what you heard two weeks ago. We had 51 people come and testify to the virtual public hearing. We've also received about 230 pieces of individual testimony. In some cases single individuals submitted multiple pieces of testimony. I wanted to just go over some of the common themes of that testimony which some of the more popular opinions we heard but by no means is exhaustive. It does not include all opinions that came in on this project. First off, there were several commentators that gave support to DOZA and their recommended draft in general. Several showed appreciation for the flexibility of these new standards that we developed. At the same time there's others that came in support of the current design review process and gave a shout out to the design commission and staff for handling those design reviews. Many people had asked to incorporate the work of the Sellwood Moreland and main streets work. Moreland or smile as many people know. What both of those groups have submitted to guidelines and standards that are specific to inner Portland main streets. We got quite a few comments expressing support for including those standards in our citywide guidelines and standards. I did want to mention also that pediatric main street supported character guidelines and looked at plans for the future. They supported greater public participation in mutual reviews and possibly promoting demolition in some commercial areas. There was sport for the Portland neighbor's welcome letter. That letter supported DOZA in general as recommended by the pfc and asked for specific changes to remove the complexity within the standard such as the additional standards for buildings. The higher review for buildings also -- also Portland neighbors welcome and were opposed to lowering the thresholds which is something that the main street folks advocated for. Portland neighbors were also concerned about adding detail character statements or other guidelines, restrictions specific to certain neighborhoods. Neighbors welcoming others and ending the type two design review option to other affordable housing projects. As a counter point there was several that expressed concern that the threshold of standards and lower level of design review were considered too high and should be reduced. Especially considering the fabric of these commercial districts. Then finally several people from the lodge wrote in requesting to expand the overlay in more commercial areas within their neighborhood along interstate avenue and smaller commercial nodes. I want to note that DOZA did not ban the overlay which was part of the mixed use zone and plan update project. Generally an overlay applies in designated centers. That's a quick summary. I do want to mention that -- that the written testimony is available to be -- viewed. You can click on the view public testimony line and -- and select DOZA and it comes up in reverse

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chronological order starting with May 14th which is we close the testimony. I'm going to pause here and see if anybody with the commission has any questions about the testimony before moving forward.

Wheeler: Thank you. Colleagues, questions? None so far.

Nameny: I'm going to work on the items we identified. The first one here has to do with bridges. The question we're looking at for discussion is design review and bridges within the right-of-way. There's past confusion about whether bridge is a standard or nonstandard improvement which we won't get into the details. That difference between standard and nonstandard is determining whether something in the right-of-way is design review or not, it is generally exempt. Bridge review can be like a regular building but they have a stake holder and review processes driven by the agency. They're subject to funding and approval processes as major infrastructure projects. They don't go through the process that buildings do that is administered by services. Many cases agencies have come through and freed design commission in overlay zone. That is not always the case. When this was discussed during the psc was for type three design review. That's for staff for preauthorization project and then the hearing office with the design commission. There's a concern that this public process can interfere with other public processes that many agencies go through with stake holders in developing bridges and -- and the funding for those. There's also a concern about the timing of the review and land use appeals that can come up with these construction projects. An alternative to be supported by pbot is to exempt bridges from the design overlay zone. Be clear that a bridge that has a span of over 100 feet be submitted for a design request which is a preliminary briefing with the design commission. It is nonbinding. That's for the design commission to make a suggestion at a time earlier in the process where that information can then come back and potentially be adapted into the ultimate bridge design. We are looking for direction from the council on that. You see on the slide, the options, the recommendation if the pfc board which is a type three review or we can potentially propose this alternative option or if -- or commissioners have other ideas for alternatives we would be happy to discuss. As Sandra mentioned I do believe Courtney Duke from pbot is mere for answer any other questions for the process.

Wheeler: I think commissioner Hardesty has a question for you.

Hardesty: Actually, thank you mayor and thank you very much phil. I was -- I was -- I'm sure that maybe pbot will have the answer. I thought that there has been a -- an agreement kind of

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between the bureau and the planning and sustainability around like where the line would be. You're sounding as if that is not the case.

Nameny: I don't know if Courtney will have anything. But what I'm providing is -- is the two options, the option is the pse's recommendation. That is -- that is what we got for it at the hearing. The second is the alternative for the dar. From the eps standpoint we don't have a problem with that option. We can discuss about the pbot review.

Courtney Duke: Do you want me to explain it all together? Forgive me on protocols.

Hardesty: This is about this topic this afternoon; Courtney and we should take each person's question separately. I'm old and won't remember.

Duke: Okay. Thanks. Courtney Duke, senior transportation planner from representing the bureau of transportation. So we have been working at staff level looking at the second option here exempting bridges and requiring design advice request. Your thought that an agreement had been made or a conversation has been happening. We're doing that at staff level for sure. But because it is a recommendation from planning commission to city council we do still have to have an amendment presented by you at some point, hopefully to make that change. From my perspective, from the staff perspective of pbot and management perspective, this second option is what we've been discussing with the planning staff since it became proposed by planning commission. I can't even tell you the dates when that was happening. Because it was their final recommendation to all of you, we have to do official amendment process no matter how much council or staff are in agreement with the change. Is that helpful?

Hardesty: That's totally helpful. You just fell right back into presenting at council mode.

Duke: Thanks.

Hardesty: Thank you for the clarification. Because yes, what I remember was yes, there was going to be a requirement and there was no parameters around like what the bridge purpose was, who was paying for it, what other public processes were in place.

Duke: Correct.

Hardesty: It sounds like pbot and the planning commission had been work around what would be a good compromise. Thank you for the explanation. I'm good.

Duke: Okay. Great. I'll call on commissioner, okay?

Hardesty: That's not your job, but I think we'll let you slide on that. And send it back to the mayor and he will take control.

Duke: Okay. Thank you.

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Wheeler: Commissioner Rubio, go ahead.

Rubio: Thank you. I was going to raise the same points that our staff was working together and it is indeed one and the same conversation but I just want to express support for continuing that -- continuing in that direction. I think we're making really good progress there. I would support that work continuing and hopefully creating an amendment.

Duke: Great. I can give highlights for those that haven't been involved in the conversation since we've been there, the conversation that pbot and staff and management have been having with BPS staff and management. To reiterate and to be clear, pbot would like to reflect language that was proposed in the original discussion draft which requires a design advice request for any bridges 100 feet or longer in design zones. That was what was in the discussion draft and was changed at the planning commission at which -- that meeting -- there was not a pbot staff member present to be able to have that conversation as well. So I'm just double-checking my notes, sorry. So again, as phil mentioned, I appreciate his intro, we have an extensive design and public review process in all of our infrastructure process as the steward and designer of the right of way. We have a number of partners with the bridges and a lot of bridges this may impact, actually not Portland bridges, they would be the county or tri-met. And they have not been briefed and involved in how this might work. Really a concern with the type 3 review as it could be moved up through the process in terms of appeals and so much of the public infrastructure is on a different timeline and funding stream that we're using. We have gone to design commission for design advice requests in the past, have gotten excellent advice. Have strong connections with design commission. Many times the design commission have been a part of the public involvement and this would allow us to put them in at the right time as a part of our bigger public involvement and community engagement process and we to larger structure projects. I'll leave it at that.

Wheeler: I want to be clear, when you say you offer an amendment, this shows there would be presentation on all of the proposed amendments as sort of our final action for this afternoon.

Duke: Correct.

Wheeler: We won't do anything with that right at the moment?

Duke: Correct. My understanding is we'll have written amendments for the public to review on June 23rd. We'll have time to work with the commissioners and staff to finalize the language prior to that.

Wheeler: Commissioner Mapps and Hardesty.

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Hardesty: A point of order question, mayor, I thought when this item was announced, we said we weren't doing amendments today.

Wheeler: We're not. We're going to hear from -- from -- from staff today what recommendations they would have and we're going -- my point was we're going to get a presentation at the end of all recommended technical amendments just to sort of preview where we're going to end this, we're going to open the written record. We will come back I believe on June 10th to move and second amendments at that time. We're for the doing any of that today. You're done?

Mapps: Yeah, I'll ask my question another day.

Wheeler: Commissioner Ryan?

Ryan: Perhaps I should ask mine another day, but here it goes. Here's where I'm confused. Everyone knows that -- that we love our bridges and designs of bridges are really important. Then you mention the other jurisdictions, the county and the state and tri-met, so did they weigh in quite a bit on design review of bridges?

Duke: Well, it depends on the bridge. The crossing was a tri-met bridge. So the -- and someone correct me if I'm not right, the bridge itself was not considered a part of the official design review through the code. The end of the bridge are because they were in design zones. Similar to the burnside bridge. The burnside earthquake bridge and the ends of the bridge are technically in the design zone but the bridge itself is not. So those -- I know the telecom had extensive public process both with the city and design commission, possibly planning commission. I wasn't involved in that project. The earthquake-ready bridge has had a briefing I believe even with city council itself. So all of those have extensive process and design review component as a part of their own project management process, I guess I'll say, as well as working with -- again going to get a design request, getting advice from design commission and other city bodies as they move through the -- their construction process.

Nameny: The change won't be responsible for their specific bridge that they have control over. We're probably looking at tri-met, odot or things that -- that -- interstate highways and pbob for the streets and the county and bridges over [indiscernible]. Each of those agencies you'll generally follow their own often extensive outreach process. Most of that is not in the d overlay they're going to go through an extensive public review process. The question that was coming up when this was created is where does this city design review process slot into the large infrastructure public processes? I think the recommendation was that a d.a.r. Can easily slot in here at the beginning of the process when the idea and design is being formulated. It is

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something more appealing to all of the other agencies.

Ryan: That was helpful. Thank you. We know permittees love the river and the bridges. I want to make sure I understood and maybe people if the public were benefited from learning as well. Thank you.

Wood: Great. I think we could probably move on to the next subject, mayor. Again we need an amendment and see who would like to sponsor that one.

Wheeler: Thank you.

Wood: The next subject is about the makeup of the design commission itself. Phil will lead us through this too.

Nameny: You'll see on the slide that we got a couple of columns here. I'm going to go over this real briefly. Design commission is made up on seven volunteers total. As part of DOZA we did not propose to change that overall number. Over the proposed and recommended drafts there have been changes proposed within that makeup of seven people. Initially staff posed expanding the list of the expert fields as shown that have been planning architecture and landscape architecture fields. We also further clarified who -- who could be a public at large member with the intent that the public at large member not also just be a person working in that industry and is truly somebody that can create an outside perspective. During the pfc discussions there was some pc members that said, recognized our design guidelines and standards were expanding just beyond architecture and looking at sustainable building practices and looking at the building and its environment. As a result of that, pfc made a recommendation that two of the five members that were pulled from the subject experts, two of those members we pulled out and there would be dedicated subject experts in sustainable building practices and resource management on the commission. The other subject experts would pull and create three additional members. This was done to address the added influence of sustainable building practices and then you know, natural systems. There's been testimony that you may have read about the role of those that advocate or have lived experience with affordable housing. That's not shown here at all as far as a dedicated person. A person such as affordable housing advocate could represent the public at large in its current status. So the question we have here is the DOZA proposal made the recommendation to revamp the makeup of the design commission. So the question we have is whether that allocation is reasonable or if there is a concern on -- on the council's point about whether specifying single subject experts may make it difficult to full those positions in the future. If that's -- if the council feels that's the

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case, then we would be looking to see if the council members want to suggest an amendment to potentially treat that further or not. One of the things that was discussed is whether the natural resource management and sustainable building practice experts could just be lumped in with -- with the subject experts. Keep that as number five. With that, I'm going to open it up for discussions.

Wheeler: Very good. You have questions from both commissioners Hardesty and Rubio in that order.

Hardesty: I remember us also having a conversation around the more we identify specific seats the less diverse this commission will be. I didn't hear your perspective on what did you do with that information. How is that informing what you're thinking today?

Nameny: I think it is a tough question because -- because -- because it depends on how one would look -- is it subject diversity or expertise?

Hardesty: I want to be clear; I'm talking about racial and ethnic diversity. If you're recruiting based on a -- on a -- an expertise that traditionally has been led by white men chances are you're going to recruit white men to serve on this design commission. I'm not saying that's what you do, I'm saying the more distinctive roles are, unless you're intentional, we have some committees that -- that actually could fill this with all people of color and it depends on how the recruitment was done and who you reach out to. I didn't hear how you were taking racial and ethnic diversity, as well as lived experience into account when you recruit for new members.

Wood: I think it is a combination. I think what is on the right column is what sustainability is recommending. We have experience with different committees that have more general membership requirements like planning and sustainability commission for example, versus committees that are required to have specific slots filled. So for example the development review advisory committee that gives advice to bds has specific recruitments. Phil represents us on that committee and was observing that they still have a vacancy of at least seven positions because sometimes it is hard to find somebody who specifically is a natural resource management expert and as far as like ethnic and racial diversity, I think -- my perspective is it probably makes it more difficult. The planning and sustainability commission when we do recruitment we go far and wide. We try to do a lot of recruitment in east Portland because that's been hard to get them to dedicate this pane hours, perhaps because our meetings are downtown and it takes time to come downtown in the evening. We have a hard time getting parents to volunteer because we aren't offering daycare. We have one that has children and it

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makes it hard for him to step up.

Hardesty: Great time for us to, as look at how we recruit support champion community volunteers who are volunteering a lot of hours to advise and encourage the city to do the right thing. I think we have to think differently about who we serve and how we get to serve them and how we remove the barriers so they can participate because this sounds a lot -- let me just say, I think we have many opportunities. I've seen us do it really excellent. We recruited folks very recently on -- on -- what was -- one of the committees associate with the design commission, diverse group of people. If it was not intentional, I would say we don't have diversity on these commissions and boards. It doesn't happen accidentally; it happens because we're intentional about how do we make sure this reflects the community.

Wood: One thing I heard about support for these two extra positions, natural resource management and building practices, it guarantees that those voices are representing on the design commission as opposed to say full membership on the design commission or architects and designers who are trained in design and think about the environment. For that reason she was supportive to have specific slots that those perspectives were included.

Hardesty: Okay. Thank you. If that limits our ability to have diversity on the committee, I would not support that move.

Nameny: I think an issue that comes up with all of these subject experts is the fact that oftentimes, you know, some of these expert fields are -- are not diverse. There's -- there's one can look at architect banners and see lower percentage of people within the fields and in the general population. That can problematic just -- just as underlying feature. I think there's -- there's selection opportunities when selecting the commission that maybe aren't -- aren't stated in zoning code but are part of the selection process that can help overcome some barriers. I think that you bring up, commissioner Hardesty, if you have somebody that is a natural resource expert as opposed to a pool of people that you can pull from, you can't potentially reduce the pool of individuals that you can select from to fill these different positions. I think Jacqueline has three. And they had considerably more vacancies because each position was from a specific kind of field of interest. That can make it hard to find willing and qualified candidates for. The more you kind of put separating out the fields, sometimes the harder it can be to find people that are willing and -- and --

Wood: Thanks. Thanks. Thank you.

Wheeler: Rubio and then Ryan.

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Rubio: I want to say that I really appreciate the intent of what the planning commission was trying to do here by raising these specific areas to insure you know that those are presented. I do have concerns in -- in personal experience with these kinds of seats tied to slots and also just if some of the examples you just gave too that there's still some that remain open. I'm wondering if for moving forward, if there's an ability to explore and maybe have a different mechanism. If there's ways to continue talking. I would love to see that. My actual question is really about the regional arts and culture member. Does that mean staff or board member? Just for my own clarity. I don't think it is staff, it is somebody that serves on arts and cultural commission.

Wood: Staci Monroe is here on bds that works with the commission.

Staci Monroe: It is a nine panel board that works on it in conjunction with the design review membership.

Nameny: This is something that has been part of the design commission for 25, 30 years. It predates r.a.c. And whatever the previous name that commission was. That was a situation where we didn't necessarily reanalyze the reason for it. We talked to them about it. They felt the design commission members thought there was a benefit for having somebody with that perspective on the commission.

Rubio: Thank you.

Ryan: First of all, I want to say while we're having this conversation, one, another thing that I want to mention is that commissioner Hardesty, you want to mention the group that recently came to the council and you were impressed with the diversity. That was d.r.a.c. And I worked my tail off to recruit people. That's what it takes to get the inclusion you want. We can never underestimate the -- what really goes on in terms of inclusion work. Just want to get that on the record. And moving on to it specific topic, I'm in line with what I've been hearing from the last two colleagues. I think you never want to compromise lived experience for diversity and inclusion in any commission. I have commissions where it is more challenging to target these skill sets. There's resource sustainability and building practices into the five members over here. We have the other skill sets. At this moment, I'm not really -- I'm not leaning towards the current recommendation. I want to put that on record.

Wheeler: Commissioner Ryan.

Wood: Thank you for sharing that, if we want to change this, we would look for our review commissioner to make an amendment for that. We heard some feedback about how we could do that. So we'll be in contact with your offices and with you over the next week.

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Nameny: There's five members from the list of folks that is getting dwindled down to three. One things I want to mention with the code that helps remove the possibility of stacking all architects is the current code states that no more than two members may be appointed from any one of these areas of expertise. Kind of getting at commissioner Ryan's idea, if you add to the pool of experts and keep that provision and no more than two from any one subject can serve that helps to inform our subject standpoint that creates a more diverse pool.

Wood: We'll work on that and bring it back to your offices. Thank you. This is our design.

Hardesty: I just want to be really clear. I think that the work that commissioner Ryan did around -- what was the name?

Wood: Direct review advisory committee.

Hardesty: Was intentional. I didn't get an answer. Where do you recruit? The mayor just created a partnership with all of the minority chambers. I suspect they would have access with professionals from the fields that you're recruiting for. Right? What is the relationship that you have with the communities? You know, it is not just when you have an opening, so I just wanted to not leave this without reinforcing what commissioner Ryan said which is when we're intentional and we know we openings coming up, we have the downtown build relationships with folks who will advocate on our behalf. If we just think that once we have an opening that we can just go and fill it and then tell ourselves it is okay because there's few black and brown people in the fields. That's not acceptable anymore. I want to challenge us to think outside of what we're accustomed to doing when we fill boards and commissions in Portland. This is an opportunity to think and act differently and engage differently with a much broader community.

Wood: Well said, thank you commissioner Hardesty. We're shifting gears and Lora will lead us through inner main street design standards.

Lora Lillard: Good afternoon. As phil mentioned we received a lot of testimony about the design features and folks supporting the southern Moreland improvement league or smile and main street. We're hoping to shed light on the design features. There's actually specific asks to -- to require a standard where applicants pick from a menu of design features along inner main streets only. Let's look where that may apply. Next slide. Idea is a standard would apply to small, concentrated areas focusing on the inner pain streets that were platted and with the early streetcar and pockets of buildings that have specific design characteristics. To get oriented to this map, the map shows in yellow areas with design overlay. You see the central center and gateway in blue and they also have the overlay. This amendment doesn't apply to those. I just

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wanted to point them out to help you get oriented. The comprehensive plan identifies five pattern areas that are based on distinct characteristics that are influenced by the natural environment and topography, but also how and where these parts of the city were developed. Calls out eastern and western neighborhoods and the city and river and industrial pattern areas. Just to focus on that middle gray this is the inner pattern area. It is -- it moves from central city east to -- to I205. It also includes pockets in north Portland and McAdams. This was an area that was platted and developed during the streetcar area during the 19th century. All of the centers, the rough location for all of the centers if the city are shown in circles. These all have a main street overlay. That was brought up earlier by Phil. This is the M overlay. DOZA doesn't change the M overlay at all. The M overlay is shown in the orange hatch. Not all of the centers have -- have -- have the overlay. Some of the M overlay doesn't sit on top of the D overlay. You'll see hatch where there's not yellow. Only reason I'm pointing these out to you is because where you have both, it is where we're talking about the standard may be applying if the inner neighborhoods. The M overlay is applied to what we call the center of centers. It encourages ground floor shops and services near transit. The new standard that we've been asked to explore would apply to that orange hatch, the center main street overlay of the areas that are in yellow the C overlay in the inner main street which is that center middle gray. The new standard that we've been asked to explore is typical of a design standard where it has a menu approach and requires an applicant to pick one but encourages them to pick more than one by earning points for more than one feature. These are the six features that actually came up in Smiles testimony and I'll go over these features in the next slide. I'm using recently built projects to illustrate the features. This idea of base, middle, top, distinguishes the three layers of the building architecturally with a shift in materials to distinguish between each of those layers. The upper level setback is -- is -- is this notion that after a certain -- a certain height the upper portion of the building steps back to allow more light and air. The other is the cornered entries which is called out as a chamfered corner. It means not meeting the intersection at a point but more like a 45 degree angle with an entry facing the intersection. Clear story windows are the windows directly above doors and windows on the ground floor and stacked vertical windows, just -- is about aligning the windows on the upper floors and -- and that they're vertical means they're taller than they are wide. Finally extended balconies meaning they project out and rather than recess into the building. These are the features that are called out and the idea that a new standard would require new buildings onsite that have the M overlay and that are using design standards

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to pick one of these six features and then essentially earn points for picking more than one feature. We're asked to explore this and pick out what those mean. That's all I have on this particular piece.

Wood: I moved those back a few slides so you could see the list of features that Laura used the subsequent slides to illustrate.

Wheeler: Commissioner Mapps.

Mapps: I want to thank staff for looking into this particular issue. I certainly appreciate the benefits of universal urban design. This is our classic small business districts makes sense to me. I don't believe that we should place our classic neighborhoods in amber and not let them change. Seems like they're moving in the direction here that allows us to build on the walkable and street friendly neighborhoods while preserving their characters and allowing them to stretch in the future. I'm interested to see where this goes.

Wheeler: Commissioner Ryan.

Ryan: Thank you. Could you go back to the pap that has the circles and orange and -- that one. Here's what I think. I think having a great pedestrian experience for the first couple of floors where you have retail and I can't remember the windows now. I forget what is happening here. You're in the orange, does that make sense? Yeah. I wonder on pedestrian level why there's retail. We had had a famous bowling alley go out and a wonderful building and we're so close to transit right? I think we're wondering why there isn't codes and why we don't have that same retail experience that you would just a few blocks to the south there at Killingsworth or a few blocks to the north and you get to Lombard. We're in an in between zone. There's buildings projected to go up. If they go up and we transit, why can't we also have like in other big cities having retail there as well.

Lillard: I can speak to the m overlay, when the m overlay, main street that -- that -- that requires retail and services at the ground floor and daycare and other community services. It doesn't necessarily have to be shops. With that was mapped out it was only mapped in the designated centers. That's where I mentioned it was the center of the centers. We were trying to be very specific and intentional about where that is. Where we require retail and we didn't want to oversaturate. In those areas where there's mixed use zoning, ground floor retail is allowed. So at that point it is a market driven decision. I will say design overlay in all of the area and yellow, because we have heard from many folks that say we have mixed use zoning but we see apartments growing up and ground floor residential instead of retail and we like retail. We have

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included a standard that is one of those options where you achieve points for putting in ground floor retail and we incentivized affordable commercial as well on top of that. We're trying to encourage more of that. But you're correct in saying it is not required because it is -- it is not shown in the m. Overlay. It is for the in the m. Overlay.

Wood: Another piece of that conversation was in the comprehensive plan. With we updated the mixed use, there was a discussion about why we aren't allowing ground floor for all of these zones regardless. Many would not need to have them. It showed that we did not have that much market for that pump retail space. If we had ground floor retail space, our fear it would sit vacant because we don't have the market for it. We just have density for it. If it was left up to the market to decide that was the ultimate conclusion from that conversation.

Ryan: I'm just advocating for more overlay on the yellow line and along interstate. Am I getting too micro? We're just having a conversation; I want to put that out. I think it seems shortsighted that we don't include more overlay, perhaps in the -- in the use, what I think are actually very densely populated and will be more populated as we for forward. Want to advocate for that.

Wood: We may actually have to amend the comprehensive plan which gives us the recipe where the overlay will be provided. It is a bigger list than we anticipated with the DOZA amendment. We could continue the conversation in the next day or two.

Ryan: I realize when I'm advocating for something that I have a lot of -- of current experience with, my own eyes that I realize there's other parts of the plan where maybe we need to take a breath and see where we expand the overlay. If we move more towards densely populated neighborhoods near transit and make sure we don't miss those neighborhoods that are becoming more of a place where you could live, work and be. It is part of the climate crisis too. Having more people in places that they could take care of their footprint of their home.

Wood: Just a reminder also, those conversations that happened with the comprehensive plan, they just went into effect in 2018. What we're seeing in the city being built and the new buildings you're seeing right now is not a result of the new rules that have gone into a place. They were already projects that were in the works before the new rules went into place. There's a lot to be said for maybe waiting on it idea for a few years to see how our new mixed use zones really start playing out.

Ryan: Yeah.

Wood: Especially since we haven't done very much outreach about the m-over lay zone and concentrating on the d-over lay zone.

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Ryan: This is helpful, I appreciate the dialogue. I'm learning at this moment. I appreciate this dialogue. Thank you.

Wheeler: Rubio and Hardesty.

Rubio: I two, I wanted, the interest of that conversation and where they go around the m overlay as well. These concepts that have been proposed, has there been analysis about cost when we look at affordable housing developments and -- and some of the requirement to choose. Does it demand -- the -- some of the requirements that you get to choose among. Are they significant things that would add additional costs to those developments?

Lillard: I think that one of the -- one of the benefits of having a pick one is that it wouldn't be for somebody to do something that they don't want to do that doesn't support the design of the building that is just adding cost for nothing but just a requirement. That's nice. I know there's been a lot of dialogue in -- with the neighborhoods about this notion of stacking windows being something that is an affordability issue and lining up your plates and windows so everything is stacked decreases cost. You're for the having to redesign a new floor plate. I know the other setbacks that is a different floor plate, you're having to push your building back. So that is something that would probably be you know, more expensive to do and again, I think that -- the idea that this would be a pick one is -- is helpful in that regard. We haven't done a breakdown at each feature in terms of the cost. If it is just a matter of changing materials at the base or at the top in order to make that distinction, I don't think that will add a loft significant cost. We can look into that a little more if you like.

Rubio: I appreciate knowing what that would look like.

Wheeler: Commissioner Hardesty.

Hardesty: Thank you. I'm loving this conversation. As folks may know, the bureau of planning and sustainability released a report last year that talked about -- the racist impact of historic land use policy in the city of Portland. And just a couple of weeks ago we found out that -- that black folks are a cost burden if attempting to live and had housing if the city of Portland. They say they want to maintain the culture of our main street; it just sends off all kind of danger signs in my head. We've changed a lot. I hope. The -- and in the time we've had here in the Portland metro area, how would them brace the cultural and racial diversity that -- that exists in our city and these cookie cutter approaches prevent creativity and opportunity for communities who weren't part of -- of what that picture looks like today.

Lillard: This is a reason why we were reticent in the beginning to propose anything like this that

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was so specific about a particular time period and a particular style. We were focused on what does the environment say about design for people and how to create welcoming spaces that don't necessarily look at specific design features. Just wanting to be more inclusive. Everything that is -- is on this list is certainly allowed. In our -- in our current design standards. And guidelines. But I think -- I think the feedback that we got and we were asked to explore was what if you just were a little bit more proactive about calling them out and requiring one. So I definitely hear you and feel like that's -- that's a tradeoff and something that we need to think more about. I would love to hear more about what your thinking is. I know that's what we struggled with which is why we had sort of stayed away from an approach like this.

Hardesty: I know that's a question we're dealing with all over the city of Portland. Northeast does not look like it did when I moved in 35 years ago. Or 32 years ago. It won't look like that in 40 years. We know land use decisions that we made really made opportunities available for some people at the expense of others. I would be reluctant to make a change for continuing the status quo existence that wasn't inclusive of all voices. Your own data shows what impact land use laws have had on the economic prosperity of black and brown people in the community. I'm not willing to reinforce bad land use policy that didn't allow black and brown people to be able to prosper. When we demand, you pick this, you get extra points that makes me a little, a lot uncomfortable unless you've done the research to show this won't have racially disparate outcomes, I would not be able to support a proposal like this. That's where I am.

Wood: Thank you.

Mapps: Commissioner Mapps. I want to give up a heads-up, we've not completed section two out of six so far. Just to give you that heads-up.

Hardesty: This is interesting.

Wheeler: I'm grateful they are giving us a good presentation. It is. Commissioner Hardesty, just a heads-up in about five minutes I'm going to turn the gavel over to you. I will not preside and turn it over to you for about a half hour-ish or so in about five minutes. Commissioner Mapps?

Mapps: I wanted to say that I share commissioner Hardesty's concern about land use policies that discriminate against people of color. At the same time I think what we're trying to do with this particular proposal is -- is preserve not the racial characteristics of these neighborhoods but reserve this -- this feeling or quality of the neighborhoods which makes them walkable and neighborhood friendly. We think about neighborhoods where you have commercial stuff on the front -- on the first floor that makes a very accessible. In my ideal world that's what this would

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look like. We can explore this. I don't need to go deeper into this. And I need to go into other issues and I don't want to cut anyone else off.

Wood: We're ready to move on. Is that right? Thank you very much. I'm going to fast forward through these. We're on subject number four. We have an hour left. Subject five versus 75 for height limit will take considerable amount of time and the technical amendments probably won't at all, five minutes at the end to give you a rough estimate of how we should spend our next hour. This next subject is how affordable projects will be reviewed and give the intro.

Nameny: Thanks, Sandra. I did want to point out that -- that -- that undergoing design review would be subject to the same frugal criteria regardless as if something went through a type three or type two review. The question has to do with process and maybe to a lesser extent with the fees involved in that review process. One thing we heard testimony about is are provision that allows certain affordable housing projects that normally would be subject to type three design review to go to a type two design review. This current proposal which is actually similar to a housing emergency standard that was developed five years ago allows a project receiving a city subsidy and providing at least 20 percent of its units at 60 percent or so below mfi to choose a design review that involves a staff review and decision in situations that would trigger a review that goes through design commission. There was testimony to consider taking advantage of it process change. Part of the act is to expand the community and expand the oversight and need. If it is intended for the affordable business, we have other possible options here. Jesse Connor is here from the housing bureau to help with the discussion. To go over some options, we could keep the staff proposal which is -- which is city subsidy project. One thing that was discussed a little with the housing bureau and internally was -- was considering an -- using the sdc thresh hold trigger that was developed for the equal opportunities for affordable housing project. That applies when there's 50 percent applying for waiver. These projects are that -- are that the housing be affordable for 60 years. There was also discussion about a tax credit or exemption program and having those projects be used for type two review instead of type three. This can be problematic cause a lot of times programs are administered by state or other agencies and aren't always overseen by the housing bureau. The last bullet I'm going to put up is whether there is any interest in assigning this to all projects within our inclusionary housing proposal, which is currently in the central city and gateways 10% of the units at 60% mfi and then outside of the central city, it's even a lower percentage. There is a concern with using this approach and automatically granting every project this provisions because there is already a lot of bonus and

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floor area height given to these projects and this is also a project that would benefit from having an assessment done if it's a success since it's been implemented for just a few years. It's not certain that this idea from type three to type two would be that much of a benefit. In comparison to the height and floor bearings it has. We've discussed with the housing bureau.

Hardesty: Excuse me Phil, I'm going to answer your question. Your question about the inclusionary housing. We have passed a budget note that we will do an evaluation of that program in the next fiscal year. So yes, there will be an evaluation of if it's doing what we intended.

Nameny: that's great. There is a lot of conversation related to that. I think our sense was of these four bullets, the first two are the best for potential oversight. The first is in the recommended draft. If there is an interest in expanding the project, the projects gaining funds from the city, we did successfully create an option for affordable housing that assigns projects that are using the stc waiver, that's also a provision in title 30, that would be another option that may open the door some to have other affordable housing projects be able to take advantage of at type two review that would normally be type three. Those are kind of the two I think options we felt were the best but I welcome to hear direction or comments from the city commission on that.

Hardesty: Does that complete your presentation?

Nameny: Yes it does.

Wheeler: Commissioner Hardesty, at this time, I'll turn this over to you.

Hardesty: Colleagues and questions, questions on this? Not seeing any hands up. I see commissioner Ryan.

Ryan: You can go first; I'm trying to collect my thoughts.

Hardesty: What I was going to say is that I certainly don't think recommendations three or four would be something I would consider. I won't speak for someone else. I'm more interested in if we could speed up the 67mfi and housing that people can afford to live in. I'm interested in what it would look like if we were able to a type two rather than three design reviews.

Nameny: Are you asking for the difference in the process?

Hardesty: How does that expedite the process in 60 percent of mfi.

Nameny: Expedite in the sense that the type two process has a shorter timeline, does not require preapplication conference. It goes through staff decision. There's a timeline, there's less fees. Essentially and what we were proposing was that -- was that the applicant have the choice so there -- the housing provider could decide, I want to go and have the design commission weigh

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in on this. I want suggestions from the design commission. They may choose to go to type three. It is more flexibility.

Hardesty: I have one more question. Let's say we made no changes to -- to current law. Nothing now would present a -- a -- an affordable housing provider seek advice even if it wasn't necessary under current law.

Nameny: That's about advice before they recruit. This is around a design request to be requested for any project that is going through a design review. It is not required but -- but it is -- it is something that is allowed and -- and anybody that wants to seek advice before they formally apply or design review or for historic review can go through this d.a.r. Process.

Hardesty: Thank you. Commissioner Ryan.

Ryan: Thank you commissioner Hardesty. An affordable housing project could decide between type two or three, as you said they have the choice.

Nameny: Right. The housing emergency created -- the housing emergency created a specific review. The housing emergency created a type 2x review that they could choose to go through if they went through a d.a.r., it created a hybrid review. We backed off of that with DOZA and said let's not have a review. We kept the city subsidy project threshold at the -- at 20 percent units of 60 percent mmfi. We said that project, if they're getting funding from the city, could choose to go to a type two review if they would normally be big enough to trigger a type three. What we're asking is based on the testimony, based on what some folks have asked about is there another threshold besides city subsidy that may provide more opportunity for other affordable housing projects to have that choice between the type two and type three. The thing we latched on to was the waiver program.

Ryan: All right. Anyway, I think -- I think -- what I'm thinking, and I think everyone is -- I should speak for everyone. I'm thinking right now that we want to expedite the process for our -- for our low -- our affordable housing providers but we also don't want you know the public to go oh, that's an affordable housing unit. It doesn't look as nice as the other ones. It is that -- that -- I think that the -- that the standards are getting us there. The fact that we allow -- maybe there's a compromise that we're working out here of some sort that we require type two design advice requests and former early assistance meeting. Yeah, did that make any sense?

Nameny: The thing to keep in mind is the type two is a staff level review, but the approval criteria, the design guidelines for a type two and type three are identical. So then the questions is more subjective of does the design commission as a volunteer body of people, bring those

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guidelines up to a higher bar than a staff planner who is reviewing the project for those same guidelines. To me that is a subjective question.

Wood: Our philosophy is that we shouldn't have different bars. That a project goes through standards and we see a level of quality and then it goes up to type two and the bar is even higher, and then design review is even higher. We want the same outcome of quality urban development to come from all reviews. The design commissioner thinks that they don't think we quite hit that. This leads into the next conversation about the height threshold. But that's what the discrepancy is. It is the same approval criteria. I think group of seven people can make a better decision because of the public hearing. And seven people are collaborating on a design versus the staff planner who is -- who is interacting directly with that -- with the applicant.

Ryan: That's helpful, in the last bullet, I want to concur with what I heard from Hardesty. That's the consideration for affordable housing and get -- and getting a different design review. We need to do that study. I think there's no need for that. That's my opinion on that. Currently DOZA is to find a city subsidized project and they receive housing bureau funding. Correct?

Wood: Correct.

Ryan: With 20 percent of the units at or below 60ami. If in fact -- there's a lot of -- of -- there's funds coming in. If you read what the economic forecasters for the state of Oregon, there's a chance we could get wonderful affordable housing opportunities that come directly from the state and maybe even -- my point is, we won't always -- it doesn't always have to be Portland housing bureau. So, so we need to shake up the definition in order to move forward. I notice people nodding their head right now. Wanted to put that out. All right.

Nameny: It might be worthwhile to check with Jesse Connor with the housing bureau. She may be able to shed some light on the program with the stc waivers. The program that isn't giving folks a direct subsidy in the terms of funding, but it does waive stc requirements. So I think there is a possibility that these projects get other funding from other services would still apply for the stc waiver.

Hardesty: Phil, I'm going to cut you off and allow commissioner Mapps to make a statement. I do the next question will take up the bulk of the time. I want to be mindful of the time.

Commissioner Mapps.

Mapps: Yes. Thank you. I want to lay my cards on the table in terms of the piece I'm most interested in here. I don't know what is going to happen. I heard strong testimony of the -- over the virtues of allowing folks to go through type two review and strong testimony about

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the -- about the strengths of going through type three review. I talked to affordable housing builders some of whom are eager to opt into the type two and talked to other housing providers that say they would choose, even if they had the type two option, they would vote for type three review because of the value added from getting that advice. I don't think I have enough information to know what will happen in the real world which is one of the things that I like about the design of the program. I like to offer them the option to do type two or three. I think in short order we'll have real world examples of the type of affordable housing that gets produced. I'm awfully curious to see that if indeed, will this type of housing be indistinguishable from one another. I know we've had lots of important discussion, but that's what I'm looking for.

Hardesty: Thank you. That's the feedback from council so far. I guess we should move on to the next one.

Wood: Number five, we are back to Lora.

Lillard: I'll try to be brief to have time for discussion. We were asked to give context about the height threshold for design review. We'll see a repeat of a slide that we saw two weeks ago that hopefully we'll remember. It is the framework for who reviews what and when. It must include design features that we talked about. If an applicant can't meet the standard or if the building is too big or applicant would like more flexibility than the standards offer, they could go through design review track. And depending on the size of the project as we've been discussing, the decision maker is the design commission or staff. For all design reviews, the approval criteria is called guidelines and they're qualitative like design your ground floor so it responds to the context of an adjacent historic building. Today, right now, the threshold for projects that can meet the clear and objective standards is 55 feet which is around five stories. Above that, you -- you would need to go through design review. DOZA raises that threshold to 75 feet if you're not in central city or gateway. We have real life examples of what the difference in scale between 55 feet and -- and 75 feet is. The building on the left is a built project in the central city. It is around six stories with tall floors. It is about 75 feet. I didn't measure it, it is kind of an estimate. Examples are buildings 55 feet, just the corner is five stories. You could see it stepping down for four stories and three stories. Interesting to get a flavor of the building. Commissioners were curious how that would affect the reviews. I wanted to share the table. It was created in 2016 when we started the assessment. It is a little old now. It shows all of the projects built in the design overlay over the previous three years. New construction is shown in orange. Alterations are light blue and addition and floor area are shown in that darker blue. So I'll draw your

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attention to -- to the red circle and that's where we have the two-track system that I was talking about for areas outside of central city and gateway. Again, that threshold is 55 feet today. About half of the projects that we found went through design review and half use standards. The reasons are because an applicant can't meet or doesn't want to meet the standards and they have a building taller than 55 feet. We didn't break that down. Half go through design review and half don't. Next slide. Commissioners, we're curious where this change matters on the ground. This map shows the geography in play. Again, we're looking at design overlay zones which on this map they're hatched. In yellow are all of the areas that are zoned with maximum height less than 55 feet. These would use design standards today and in DOZA that doesn't change. In the upper level, the areas in red at the high-end are zoned with a max height taller than 75 feet. These areas if they're built to their max height would be required to go through design review today and this doesn't change that. Those are the book ends. So if you look at the areas in blue, these -- these are the -- are the areas that are zoned with max height between 55 feet and 75 feet. These are the areas in play right now. Today these areas would be required to go through design review. The DOZA proposal is that the new threshold of 75 feet would allow them to use design standards instead. Those are the areas we're talking about. The last slide.

Wood: I was going to ask, any questions about this before Lora shares the pros and con arguments we heard.

Lillard: We can come back.

Wood: We can come back to it.

Hardesty: I don't see any questions. Thank you.

Lillard: Sorry. We wanted to again -- to excuse me, reiterate pse's reasoning for the threshold to 75 feet and summarize testimony we heard for and against increasing the threshold. You know, again, many of the -- of the base zones allow buildings taller than 55 feet. DOZA has modeled the design standards after the design outcomes and design review. We're trying to -- to provide parity between the two -- between the two processes. Also, for design standards, DOZA added more required standards and points to buildings that are taller than 55 feet. But on the other hand, many of the testifiers against the new threshold have shown design review allows for the public testimony where standards do not and buildings that are taller than 55 feet have a pretty significant impact and -- and could really benefit from that back and forth from the public. Design review is -- is really -- it is a dialogue and opportunity to meaningfully talk about site specific and social context and respond to it. As you saw in the map, most of the development

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outside the central city and gateway will be lower than 75 feet. Most buildings won't two through design review under these proposed thresholds. That's a flavor of -- of -- of the testimony for and against to give you food for thought. That's all I have. Happy to answer questions.

Hardesty: Questions, colleagues? Commissioner Rubio.

Rubio: I have a question under the current guidelines, how many -- how many times have the design review, whereas actually not been approved because of the height of up to seventy five feet? Or has that happened?

Wood: Have you asking if any projects applied for design review and the commission denied it based on height?

Rubio: Or recommended a lower height. I'm looking for the frequency that it actually comes up.

Wood: Staci, can I invite you to share your thoughts with us?

Staci Monroe: It is super rare, is what I want to say. The Hyatt is one that council saw. The molding and sculpting at the top --

Hardesty: Sorry Staci. Would you introduce yourself again?

Monroe: I'm sorry. The development services design and historic [indiscernible]. We work -- I work with the design commission quite often and process design reviews. As I mentioned the height is one example. The other example was probably about seven or eight years ago in response to -- to the projects adjacent to -- to a park, a public park. The zoning wasn't -- wasn't -- didn't accurately reflect the adjacent context. There was some item reduced from the building and it was located elsewhere on the site in order to make it respond to the adjacent park. Those are the only two examples that I can think of.

Wood: I want to clarify. This isn't about the actual height limit of the building. The base zone and -- and -- and the plan districts say how high and much as they are were area ratio, how big a building can be. This is about -- about what point is the project a big enough impact that it should warrant a public hearing? Or a public process through a type two or three design review? This project, we looked at the exemptions and someone is putting an awning on their building, we don't need to have a public hearing about that. We can agree to that. We carved out were in design review. If you're doing landscaping, don't come to review. If you're building a building, then you come to review. That's the question.

Hardesty: Any additional questions? So, I have a question. So your counter points talk about most development outside of central city and gateway would be lower than 75 feet. What is that

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analysis based on?

Lillard: Let's look at the map, right?

Hardesty: That's a hard map for me to place anything on. I want you to know that it is like I'm looking at a yellow paint.

Lillard: Let me point out, the areas in blue are -- are the areas where the maximum heights are between 55 feet and 75 feet. Those are areas we're talking about. We have a choice to go through standards. Those areas because it is tricky to ready are primarily along interstates, sandy, there's some in foster. And then along MLK a little bit. And Williams, Vancouver.

Wood: Another way to think of this Hardesty, let's look at St. Johns. St. Johns the maximum height are -- what is allowed bit base zone is 55 feet or less. So it doesn't matter if -- if there's -- what the threshold is and the conversation we're having. These projects will always be afforded the opportunity to use standards. Over here, over near gateway on the east corridor, these projects, any projects in this area because of their base zoning are allowed to be built higher than 75 feet. If a project comes in and maxes out the height, where did my mouse go. I don't know if you could see my mouse, they will trigger a design review in the red. It is the blue areas that will be different depending on where the council lands on that amendment. On this amendment. If the council decides to two with the planning commission's recommendation for 75-foot height, all of these blue areas will have the option of using standards or design review. If you decide to amend this to 55-foot height which is what the current regulations are, these blue areas will get treated like the red areas. They go high enough and get to the design review. Like central city is treated.

Hardesty: Thank you. Yes. I see commissioner Ryan's hand is up. Commissioner Ryan.

Ryan: Thank you. All right. It is like a scenario here. I'm really familiar with -- with the area on the Interstate and MLK and Williams. So I assume right now, I'm assuming something, there's a lot of buildings that are at 55 feet currently. All I know is there's a lot of buildings. Right? If this changes to 75 feet, then -- then even though they were allowed to go to 75 feet, now they will want to go to 75 feet because they're in the standard. You'll see a -- they'll go up in height. I'm speculating right now.

Wood: I'm not sure if a developer decides what to build based on the city process. I don't know if developers say, I want to build an 85-foot high building but if I come in for a high building, I will go to standards and avoid design review and I will underbuild on this site. We don't want to encourage that, right? The areas that we have zoned for higher heights and we're counting on

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those areas to produce those number of units. We want to encourage and incentivize people to do the right thing.

Ryan: Yeah, I'm trying to get to the heart of what is the change is and what Portlanders might experience as being a different -- a different landscape once we make this change.

Wood: Perhaps this --

Ryan: I don't have a specific point of view as far as really understanding the conversation that we're having so with we make it change. So.

Wood: This slide can help a bit.

Hardesty: Thank you, Sandra, I was going to ask to put this slide back up. I think there's a big difference between a 55-foot and 75-foot building, especially with you think about the areas of town where it would be possible for these to be and -- and -- and so, it does immediately change the character of the neighborhood. I don't know if you would add 75 feet without going through a design review so there's more of a neighborhood opportunity to engage in what the design looks like and how -- how -- how it -- how it fits into the community. I -- I think it reinforces for me that there was not going to be -- that -- that -- that I think we could, you know, propose an alternative, especially at 60 percent of msi for 20 to 50 percent of the units is very attractive to me, being able to expedite that. Other than that I'm not concerned about expediting 75 feet. I think it was narrowly focused on housing providers that were providing housing at 60 percent or more of mfi, I would be excited about that and could support that, especially the ideal locations that they will be. Kind of just what traffic flow would be like. I had another question for vps as pbot continues to look at how do we create walking neighborhoods and maybe block off some streets permanently so that we're creating many spaces and neighborhoods that don't actually have meeting spaces and they could be -- they could be like food carts and benches and as elaborate as artists painting the sidewalk like the one in northeast Portland. Pbot is exploring doing this all over the city. As I see, like the corner spots where -- where community is -- is -- is -- is where we're going to put a lot of community in a very tiny spot. What kind of recommendations would come out of the bureau of planning and sustainability; how do we think about? As we look at the design of buildings, how do we think about the public right-of-way as a more public ownership, right? What does that look like in relationship to these new designs? Any thoughts?

Lillard: Well, the buildings, you know, if you remember the -- the three tenants that we talked about, context, public realm and quality and resilience, there's a lot of guidelines and standards

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that we look at the public realm and the response to the public realm. Really thinking about weather protection and protecting people inside and out. It is really less about the response to the street and pore about the response to the sidewalk and just helping freeing more -- and inclusive and welcoming ground floor as relates to the public sidewalk. I don't know if that quite answers your question.

Hardesty: I see an opportunity for -- for synergy around some of the new envisioning. Again pbob doesn't know where all of the spaces will be. If you think about we're developing like some -- some triangle space, right? Are there opportunities to create real walking space around this entire building and what would that look like? You know, I think we're trying to think outside of the boxes that we're customed to working in. As I look at the opportunity, I do see some opportunities to -- to be in sync with what the decision commission is looking for, is it looking at this and is it going to fit in and enhance the community and the opportunity for the community to build communities. Thank you for putting that picture back up. I'm going to commissioner Mapps and see if he has any additional questions before I ask you to take the picture down.

Mapps: Thank you, commissioner Hardesty. I think this is a request to staff. I'm so -- so -- still going through it question myself around how we should review proposed tall buildings. I think earlier you showed us a slide that shows that some buildings, some buildings over 55 feet have gone through type two, some have gone through type three reviews. I wonder if there's an analysis on retrospect. Could we look at tall building from type two or three review. Can you look at one that says that's type three building or to the kind of all look the same or we get different kinds of complaints. I wonder if there's any real world evidence that helps to parse this out. If there's not, it is a relatively easy thing to do when someone is over there and interested and looking at it, I would be interested if the results of that analysis.

Lillard: I will say early on whether we did the assessment, the disparity was not in between type two and three design reviews because those are using the same regulations like phil mentioned. Those are using the same guidelines. It is used outside and projects using design standards and guidelines. Those resulted in different buildings. That's why we worked hard with the commissions to try to respond to those three tenants and try to create regulation that we're clear and objective on the standards and that would meet design guidelines. We have to respond to that. The disparity wasn't between type two and three design review. It was in between the objective track and the designer track. This is a question of height and go through a clear and objective track is so important. But again, that's why the pfc thought we raised -- so

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both our parity and this is contention in disagreement, we should allow more buildings to use the fair and objective track. Design commission, because design and review offers that public feedback and public dialogue and discussion you know still feels that going through design review will result in a higher quality building. That's kind of the crux of this decision. I want to ask a question of commissioner Hardesty. Before I forget it. I want to make sure I answer your question. Commissioner Hardesty, you mentioned you were more interested in what we haven't talked about, the 75-foot threshold to you would be more palatable if there was a more housing component to it and if it was market rate, you would be eager to see the threshold continue at 55 feet. Am I capturing that correct?

Hardesty: You are. Yes. That's the right question. At least in my experience here, I wouldn't say this in other parts of the country, but here -- affordable housing developers are deeply indebted in community. I think that they would be forced to -- to actually do high level of community engagement around the projects they do. On the board, as a community nonprofit and even solutions that provides affordable housing for low income families, I know how difficult it is to piece together an affordable housing package that is palatable to a bank. I've seen behind the hood, under the hood of how housing and nonprofit housing providers able to make that happen. I would have every confidence in them that it would be designed at a high level. I would not share that same confidence with market rate anything.

Wood: Just to connect this to the last item that we discussed about affordable housing, it seems like if we want to carve something out like this, or affordable housing provide us with this amendment. It would be the same definition of affordable housing than the previous one. Correct?

Hardesty: That was in one and two on the previous chart when you talked about the options around -- yes. That's correct. That would be an amendment that I would be interested in supporting or moving forward.

Wood: Any other commissioners have a reaction to that idea?

Rubio: I was having similar thoughts and conversations with my team about this exact thing. I would be interested in looking at that as well.

Wood: Okay. It seems like --

Hardesty: So I think -- I think what that says is we're open to exploring it because we certainly know what we're doing now is not getting us close to where we need to be. So.

Mapps: Open to the discussion.

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Hardesty: Excellent.

Wood: Great. We'll continue moving forward with that one too. We have ten minutes left.

Hardesty: One more left. Next steps.

Wood: We got one more left and technical amendment.

Hardesty: Commissioner Ryan, did you have a question?

Ryan: Before I forget, the map of one of the yellow paintings, we make sure that we get a copy of that.

Hardesty: Thank you.

Wood: Thank you.

Ryan: That's where I want to hang out a lot and figure out what is going on here.

Wood: Last topic is series of technical amendments that we have been accumulating over time so it has been our keeper of those. I'll let him take it away. We need to observe five minutes for the next event.

Nameny: I hope to make this very quick. You could see a list of six technical amendments that -- they generally are amendments to update our DOZA proposal with other changes that happened elsewhere in the code or to update or clarify certain criteria such as rooftop equipment screening exemption. They're fairly minor. I'm going to leave it at that. If anybody has a question or wants more clarification on one of these items, go ahead and ask. In the interest of time I was going to stop it there.

Hardesty: Right. Not seeing any questions. Excellent. Next step.

Wood: Next step. And thank you so much for today's conversation. I think we got -- we got very decent feedback. Not totally feedback, so we speak to the office who wants sponsor what is on the table. This is more conversation for the public. Our plan is that we're working with your officers, Thursday and Friday of this week. Monday is a holiday. Tuesday and Wednesday we want to button it up and have it nicely written with an explanation in plain English and amendments and we publish that on June 3rd which is a Thursday. We publish to our website and we send out an e-mail to all of the people that have been engaged in the DOZA process. We open up the map testimony, the written testimony and we open up that day also. Folks can start reading those and testifying in writing about those amendments. On June 8th there would be -- there would be -- that's the deadline that council usually has for folks to sign up to testify for the amendments at 4 p.m. Deadline, June 18th a Tuesday. We would be back leer on June 10th which is a Thursday for a hearing on those amendments. That's when commissioners would

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move and second the amendments and you would latter public testimony on them. And then close the written and oral record and then vote on the amendment.

Hardesty: Excellent. Plan very well laid out. I just wanted to double-check with legal counsel that there's something else we need to do before we adjourn today.

King: No, thank you for checking.

Hardesty: Thank you. And thank you all colleagues and I can't thank bps staff enough, Sandra, Phil, Lora, thank you all. We learned a lot. And I think it was a really healthy conversation as we continue to -- to think and -- and -- and think about potential amendments. Mayor you are back in time just to adjourn. You want to do that?

Wheeler: Yeah. Thank you commissioner Hardesty. You did a great job presiding. Thank you for filling in. I did want to just add one thing, since we're going to hear public testimony at the next session, I would also like, and I really appreciate my colleagues suggesting innovations and ideas, many of which I'm open-minded to. I really like to hear testimony from those that are the developers of affordable housing in particular. I like to know the economics and -- and what you're looking at in terms of capital stacks and how this might impact your -- your ability either positively or -- or potentially negatively in terms of being able to develop in Portland. We all understand capital is no longer local. It is global. Capital will go where capital can be maximized in many cases. While I want to maintain our high standards and make sure our built environment worthy of the community and lives up to the standards of the community, I want to know that we continue to develop particularly the housing side of the equation. I love to hear from as many people that want to testify on that matter as possibly they're in written form which is fine or in person when we have oral testimony. With that, again, thank you commissioner Hardesty and colleagues. You outdid yourself with the presentation, in record time, a few minutes early. We're adjourned. Thank you.

At 3:57 p.m., Council adjourned.