



## July 14-15, 2021 Council Agenda

5617

**Please note, 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](http://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](mailto: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.

Email the Council Clerk at [councilclerk@portlandoregon.gov](mailto:councilclerk@portlandoregon.gov) with any questions.

### Meeting Records

Disposition Agenda

Audio Recording

### Wednesday, July 14, 2021 9:30 am

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**Session Status:** Recessed

**Council in Attendance:** Mayor Ted Wheeler

Commissioner Carmen Rubio  
Commissioner Jo Ann Hardesty  
Commissioner Mingus Mapps  
Commissioner Dan Ryan

Mayor Wheeler presided.

Officers in attendance: Ken McGair, Deputy City Attorney; Keelan McClymont, Council Clerk

The Consent Agenda was adopted on a Y-5 roll call.

Council recessed at 11:35 a.m.

### Communications

545

[Request of Walter Weyler to address Council regarding several features of the South Park Blocks Master Plan](#)  
(Communication)

**Document number:** 545-2021

**Disposition:** Placed on File

546

[Request of Kaitlyn Dey to address Council regarding the Clean & Safe contract renewal and Enhanced Services District audit](#) (Communication)

**Document number:** 546-2021

**Disposition:** Placed on File

547

[Request of Lorie McFarlane to address Council regarding a filters first program until the Water Bureau fixes their chronic lead in drinking water levels](#) (Communication)

**Document number:** 547-2021

**Disposition:** Placed on File

548

[Request of Dee White to address Council regarding a filters first program until the Water Bureau fixes their chronic lead in drinking water levels](#) (Communication)

**Document number:** 548-2021

**Disposition:** Placed on File

549

[Request of John Carter to address Council regarding bottoms up re-building of Portland](#) (Communication)

**Document number:** 549-2021

**Disposition:** Placed on File

## Time Certain

550

[\\*Authorize three-year agreement with the Regional Arts & Culture Council to administer arts programs for the City and provide for payment](#) (Emergency Ordinance)

**Document number:** 190492

**Introduced by:** Mayor Ted Wheeler; Commissioner Carmen Rubio

**Bureau:** Management and Finance

**Time certain:** 9:45 am

**Time requested:** 30 minutes

**Disposition:** Passed As Amended

Motion to add an emergency clause to revise agreement effective date to July 1, 2021 because delaying payment would negatively impact artists and organizations working to support Portland's economic recovery and emotional healing : Moved by Rubio and seconded by Hardesty. (Y-5)

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

551

[Appoint Brenda Ketah to the Charter Commission for term to expire December 3, 2022](#) (Resolution)

**Document number:** 37542

**Introduced by:** Mayor Ted Wheeler; Commissioner Carmen Rubio; Commissioner Jo Ann Hardesty; Commissioner Mingus Mapps; Commissioner Dan Ryan

**Time certain:** 10:15 am

**Disposition:** Adopted

**Votes:** Commissioner Jo Ann Hardesty Yea  
Commissioner Mingus Mapps Yea  
Commissioner Carmen Rubio Yea  
Commissioner Dan Ryan Yea  
Mayor Ted Wheeler Yea

## Consent Agenda

552

[Reappoint Mitch Hornecker to the Children's Levy Allocation Committee for term to expire June 30, 2023](#) (Report)

**Document number:** 552-2021

**Introduced by:** Mayor Ted Wheeler; Commissioner Dan Ryan

**Bureau:** Children's Levy

**Disposition:** Confirmed

**Votes:** Commissioner Jo Ann Hardesty Yea  
Commissioner Mingus Mapps Yea  
Commissioner Carmen Rubio Yea  
Commissioner Dan Ryan Yea  
Mayor Ted Wheeler Yea

553

[\\*Amend contract with Schweers Parking Enforcement Technology to add \\$510,000 and extend the contract for two additional years through October 9, 2023 \(amend Contract No. 30004006\)](#) (Emergency Ordinance)

**Document number:** 190489

**Introduced by:** Commissioner Jo Ann Hardesty

**Bureau:** Transportation

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea  
Commissioner Mingus Mapps Yea  
Commissioner Carmen Rubio Yea  
Commissioner Dan Ryan Yea  
Mayor Ted Wheeler Yea

554

[Authorize Bureau of Transportation to enter an agreement with Hamilton Bike Share, Inc. to donate surplus bike share equipment](#) (Ordinance)

**Document number:** 190501

**Introduced by:** Commissioner Jo Ann Hardesty

**Bureau:** Transportation

**Disposition:** Passed to second reading

Passed to second reading July 21, 2021 at 9:30 a.m.

555

[Amend Fire Regulations Code to adopt 2019 Oregon Fire Code with City amendments and remove gender specific language \(amend Code Title 31\)](#) (Ordinance)

**Document number:** 190502

**Introduced by:** Commissioner Jo Ann Hardesty

**Bureau:** Portland Fire & Rescue

**Disposition:** Passed to second reading

Passed to second reading July 21, 2021 at 9:30 a.m.

556

[\\*Authorize Intergovernmental Agreement with the City of Gresham for the HOME Investment Partnership Program for \\$1,114,052](#) (Emergency Ordinance)

**Document number:** 190490

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

557

[\\*Authorize Intergovernmental Agreement with Multnomah County and the City of Gresham to receive \\$5,000 from each entity for lead responsibility of the five-year Consolidated Plan 2021-2025, including updated Fair Housing Assessment and Analysis of Impediments, Citizen Participation Plan, Annual Action Plans, and planning and managing the Consolidated Plan 2026-2030](#) (Emergency Ordinance)

**Document number:** 190491

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

## Regular Agenda

558

[Authorize a competitive solicitation and award of three contracts to provide Autobody Repair Services for a five-year term and total amount not to exceed \\$4.5 million](#) (Ordinance)

**Document number:** 190493

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Management and Finance

Second reading agenda item 541.

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

559

[Amend a grant agreement with LifeWorks NW to provide \\$110,000 in additional grant funding through June 30, 2022 for the New Options Program \(amend Contract No. 32001416\)](#) (Ordinance)

**Document number:** 190494

**Introduced by:** Mayor Ted Wheeler

**Bureau:** Police

Second reading agenda item 542.

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

560

[\\*Accept an Engineering Report on a proposed encroachment into the public right-of-way for a subsurface tunnel under SW Main St](#) (Emergency Ordinance)

**Document number:** 190495

**Introduced by:** Commissioner Jo Ann Hardesty

**Bureau:** Transportation

**Time requested:** 20 minutes

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

561

[\\*Authorize the Bureau of Transportation to acquire certain permanent and temporary rights necessary for construction of the Outer Division Multi-Modal Safety project through the exercise of the City's Eminent Domain Authority](#) (Emergency Ordinance)

**Document number:** 190496

**Introduced by:** Commissioner Jo Ann Hardesty

**Bureau:** Transportation

**Time requested:** 10 minutes

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

562

[Vacate unnamed alley between SW McDonnell Terrace and SW Fairmount Blvd subject to certain conditions and reservations \(Hearing: VAC-10128\)](#) (Ordinance)

**Document number:** 190504

**Introduced by:** Commissioner Jo Ann Hardesty

**Bureau:** Transportation

**Time requested:** 10 minutes

**Disposition:** Passed to second reading

Passed to second reading July 21, 2021 at 9:30 a.m.

563

[Amend Intergovernmental Agreement with Multnomah County Department of Community Justice for an additional \\$375,000 to hire at-risk youth for outdoor maintenance and landscape services \(amend Contract No. 30005637\)](#) (Ordinance)

**Document number:** 190497

**Introduced by:** Commissioner Mingus Mapps

**Bureau:** Water

Second reading agenda item 536.

**Disposition:** Passed

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

564

[Authorize contract with the Division Midway Alliance for culturally responsive community outreach and translation services for the Mill Park Design Project in amount not to exceed \\$35,000](#) (Ordinance)

**Document number:** 190507

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Parks & Recreation

**Disposition:** Passed to second reading

Passed to second reading July 21, 2021 at 9:30 a.m.

565

[\\*Temporarily modify and waive portions of City Code titles Original Art Murals, Signs and Related Regulations, and Planning and Zoning to assist businesses, organizations, and entrepreneurs to adjust and continue operations during and through the COVID-19 pandemic \(modify or waive portions of Titles 4, 32, and 33\)](#) (Emergency Ordinance)

**Document number:** 190498

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Development Services (BDS)

Previous agenda item 543.

**Disposition:** Passed As Amended

Motion to amend ordinance directive j to allow murals and the materials on which are affixed to remain in place without a permit or adjustment until December 31, 2021: Moved by Ryan and seconded by Hardesty. (Y-5)

Motion to amend ordinance directive b related to temporary waiver for nonconforming upgrades: Moved by Ryan and seconded by Hardesty. (Y-5)

Motion to add an emergency clause because businesses need urgent relief from the costs, time and regulation involved with land use review and permit review timelines and certain City Code allowances through the economic crisis associated with the COVID-19 emergency: Moved by Ryan and seconded by Hardesty. (Y-5)

**Votes:** Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

566

[Approve application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Modera Morrison Apartments located at 1130 SE Morrison St](#) (Ordinance)

**Document number:** 190508

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Housing Bureau

**Time requested:** 15 minutes

**Disposition:** Passed to second reading

Passed to second reading July 21, 2021 at 9:30 a.m.

Wednesday, July 14, 2021 2:00 pm

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**Session Status:** Recessed

**Council in Attendance:** Mayor Ted Wheeler  
Commissioner Carmen Rubio  
Commissioner Jo Ann Hardesty  
Commissioner Mingus Mapps  
Commissioner Dan Ryan

Mayor Wheeler presided.

Officers in attendance: Lauren King, Deputy City Attorney; Keelan McClymont, Council Clerk

Council recessed at 2:48 p.m.

### Time Certain

567

[Consider appeal of the NW District Neighborhood Association against the Design Commission's decision to approve with conditions a proposed new five-story mixed-use building at 1137 NW 23rd Ave in the Northwest Plan District \(LU 20-123610 DZM\)](#) (Report)

**Document number:** 572-2021

**Introduced by:** Commissioner Dan Ryan

**Bureau:** Development Services (BDS)

**Time certain:** 2:00 pm

**Time requested:** 90 minutes

**Disposition:** Tentatively deny appeal and uphold decision of Design Commission

Oral and written record are closed.

Motion to tentatively deny the appeal and uphold the decision of the Design Commission: Moved by Hardesty and seconded by Wheeler.

Prepare findings for July 21, 2021 at 10:15 a.m. Time Certain.

**Votes:** Commissioner Jo Ann Hardesty Yea  
Commissioner Mingus Mapps Yea  
Commissioner Carmen Rubio Yea  
Commissioner Dan Ryan Yea  
Mayor Ted Wheeler Yea

**Thursday, July 15, 2021 2:00 pm**

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**Session Status:** Adjourned

**Council in Attendance:** Mayor Ted Wheeler  
Commissioner Carmen Rubio  
Commissioner Jo Ann Hardesty  
Commissioner Mingus Mapps  
Commissioner Dan Ryan

Mayor Wheeler presided.

Commissioner Hardesty left at 5:03 p.m.

Officers in attendance: Matt Farley, Senior Deputy City Attorney; Megan Lehman, Acting Council Clerk

Council recessed at 4:05 p.m. and reconvened at 4:12 p.m.

Council adjourned at 5:45 p.m.

### **Time Certain**

568

[Accept the 2021 South Park Blocks Master Plan as a guide for future use and development of the park](#) (Resolution)

**Document number:** 37544

**Introduced by:** Commissioner Carmen Rubio

**Bureau:** Parks & Recreation

**Time certain:** 2:00 pm

**Time requested:** 1 hour 45 minutes

**Disposition:** Continued

Oral record closed. Written record will remain open until July 21, 2021 at 9:30 a.m.

Continued to July 21, 2021 at 9:30 am.

## 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.

July 14, 2021 9:30 a.m.

**Wheeler:** Good morning everybody, this is the Wednesday, July 14th morning session of the Portland city council.

**Hardesty:** The mayor is frozen. I think he was about to say call the roll.

**Clerk:** I think he was. It looks like he may have gotten disconnected now. I'm going to wait just a moment to see if he is able to get reconnected.

**Wheeler:** Thank god we have multiple computers here in this room. Good morning again. Please call the roll. [roll call].

**Wheeler:** All members of the council are attending remotely by video the city has made several avenues available to listen to the audio broadcast of this meeting. The meeting is made available on the broadcast channel 30. The public can provide public testimony by e-mailing the public clerk. The council is taking these steps as a result of the covid 19 pandemic and the need to limit in person contact and limit physical distancing. The pandemic requires us to meet by electronic communications. Thank you for your patience while we manage these circumstances to conduct the city's business.

**Ken McGair:** To participate in council meetings you may sign up in advance with the council clerk's office for communications to briefly speak about any subject. You may sign up for public testimony on resolutions or first ordinances. Information about how and when you may sign up for testimony while the city council is holding electronic meetings. Your testimony should address the matter being considered at the time. When testifying, please state your name for the record, your address is not necessary. Please disclose if you are a lobbyist. If you are representing an organization, please identify. Individuals generally have

three minutes to testify unless otherwise stated. When your time is up the presiding officer will ask you to conclude. Disruptive conduct will not be allowed. If there are disruptions a warning will be given that further disruption will result in the person being placed on hold or ejected from the council meeting. Please be aware that all council meetings are recorded.

**Wheeler:** Thank you. With that we'll start with communications. The first individual. 545.

**Clerk:** Request of Walter Weyler to address council regarding several features of the southwest blocks master plan.

**Walter Weyler:** Good morning commissioners. I'm chair of and speaking on behalf of the downtown neighborhood association. Tomorrow you'll consider the approval of the south blocks master plan. My comments today are an early add to that discussion. The plan's drawing shows the twin paver walkways will be removed along with 25 majestic elms that shade the walkways. These walkways provide pedestrian with alternative paths through the park and the side and pavers create a restorative sense of walking. These walkways will be replaced in the plan with a 32-foot wide six foot long walkway down the middle of the park. A sixty five thousand square foot slab, this is a double environmental disadvantage. Large trees store carbon and cool the areas and shade. Concrete is an environmentally demanding material requiring huge amounts of energy and sand to create. While sitting on the park block bench a few weeks ago, I introduced myself to the native American veteran walking through the parks. It it gave him a needed relationship with nature. When I explained some of the plans, he recoiled explaining that the trees were personally sacred to him and hoped every one of them would remain. These park blocks are a sanctuary of respite and centered in a concrete glass and metal city that is growing and changes. As the city grows with new ideas, business, and energy. It takes courage and imagination to press forward with new plans and ideas. I believe it takes equal courage to understand and preserve the human restore active value in the midst of constant city change. Tomorrow I will ask you to vote no on the southwest blocks master plan. There are alternatives to this plan. Ask parks to create a tree maintenance plan to maintain optimum life and ask parks and pbot to separate the green loop from its own plan. Ladies and gentlemen thank you very much for your time and thank you for your service.

**Wheeler:** Thank you. Appreciate it. Next individual. Item 546.

**Clerk:** Request of Kaitlyn Dey to address council regarding the clean and safe contract renewal and safe audit.

**Kaitlyn Dey:** Good morning. I'm with western regional advocacy project in stop the sweeps. Some of the upcoming clean sweep contract. With that said, many of us have concerns with how the listening sessions are structured. Clean and safe are hosting them with help from of the city but it became clear they are the ones running the show. She are the ones contracting the services but ultimately city council signs the contract and you can mandate things through city code. Ultimately you all approve the contract and need to be fully invested in these listening sessions. The auditor wasn't fully informed on these listening sessions. This is more towards omf, I don't think it's right you are all not being included in these sessions. We understand the desire to have focused listening sessions, the first listening session ended fort minutes early, it easily could have been used for general testimony towards the end. Furthermore we know of one small business that's never called onto speak despite being within the safe clean boundaries. More than one person being intimidated after their testimony for being mildly critical. Finally, this is really the elephant in the room, this contract directly impacts on housed people. It impacted more on unhoused people than housed people in the district. The police contractors by clean and safe. There needs to be outreach to people most effected. This is especially pertinent considering many of these officers are armed. A private security officer shot and killed someone in a Lowes parking lot. God forbid something similar happen with the Portland patrol, they are extremely secretive. They patrol in public safe. These issues need to be addressed as the contract is quickly approaching. Last time we spoke to council, we needed to set up a meet withing Portland business alliance. I think there needs to be ground rules and we want things on our terms and not Portland business alliance. We're frustrated with some of the meetings with CEIC. That's some of the conversation and I'll leave it there.

**Wheeler:** Thank you, Commissioner Hardesty.

**Hardesty:** Thank you mayor. Thank you for your longtime advocate around these enhanced service districts. I am paying close attention to the contact as we start developing the new RFP. I agree with you especially around security. There has not been a transparency that we need to have. You're also correct with the person that was killed recently, I've heard nothing

about the outcome of that case either. Whether there was any arrest or investigation. You've raised some really good points and I really appreciate your years of advocacy around making sure that these EDS's serve the community and not just a small self-interest. Thank you.

**Wheeler:** Next individual, please. Item 547.

**Clerk:** Request of Lorie McFarlane to address council regarding air filters first program until chronic lead in drinking water is addressed.

**Wheeler:** I noticed they Dee White are signed up to speak on the same topic. I don't know if they want to speak at the same time.

**Clerk:** I believe they want to speak separately.

**Wheeler:** Great.

**Lorie McFarlane:** Last month we quoted President Biden saying there's hundreds of flint's here and elsewhere. Portland's chronic levels are not because of plumbing per say. After schools found lead in 2016 residents eventually learned city wide treatment issues were damaging plumbing in drinking water. Now they are half the level using filters first for primer prevention. Perhaps you'd prefer hearing from our experts. Afterwards can you tell us why city provided water filters are not a good idea for our most vulnerable until the city fixes our water problem. Can you please show the clip? Thanks.

**Video:** When a pediatrician hears the word lead. We freak out when we hear the word lead. Lead is probably little the most well studied neuro toxins and poisons ever known. I'm a pediatrician which means I took an oath to protect children. In flint when that came out it was attacked by those telling us that the water levels were safe. When a pediatrician hears the word lead, you stop what you are doing. Every agency tells us that there's no safe level of lead. It's a potent neuro toxin. It impacts every organ system. We worry about the children the most because they are the most developmentally vulnerable. It attacks your nervous system, development, cognition which is how we think. It drops children's IQ levels. It impacts behavior and can lead to behavior problems, criminality, fundamental functioning of a child. It can come back out at future times if you are stressed, it can cause that neuro toxicity. There is no good thing about lead. It's not supposed to be in our body. We continue to live with legacies of lead, structures of our drinking water. We have a known neuro toxin delivering

lead to our drinking water. We need to truly respect the science on a move towards prevention to ensure no child is ever exposed to lead.

**Lorie McFarlane:** If you have any questions, I'm happy to answer them.

**Wheeler:** Very good. Thank you. We appreciate it. Next up is 548.

**Clerk:** Request of Dee White to address council regarding a filter's first program until chronic lead in drinking water is fixed.

**Dee White:** Good morning. My name is Dee white. After Portland's recent heat and public health disaster, an advocate asked us to share this. We wonder if we could have done more. Luckily some did a lot. This council thank those mutual aid organizations. Those who we elected for these very moments did not. They maybe gave a few rides but could not confirm. The bureau of emergency manage was distant. Commissioner Wheeler went to his daughter's swim meet. What did he do besides show up to downtown business? Portlander's demand apologize, action plan, and a resignation. Can you please show the water levels? We are grateful for the advocates willing to inform us accurately about our drinking water. When our own water officials will not. Legal teams have suppressed critical facts and silenced urban residents alike. The lead action level in 2016 and 17. Without full disclosure the public remains in the dark and ill informed. The same can be said for the billion dollar treatment plant. The most expensive treatment option. A sliver of funding will finance an inadequate response to our longstanding lead in drinking water problem. We've had misinformed commissioners and PUB oversight members through no fault of their own. Water Director does not correct when hearing these inaccuracies. Asked why not, she says it's not within the waters' prevue to intervene during discussions among PUB members who speak to their own experiences, rather it's a resource when called upon by PUB members. By ignoring the lessons of Flint, leaders betray the public trust.

**Wheeler:** Thank you, Dee. Next up is item 549 please.

**Clerk:** Request of John Carter regarding bottoms up rebuilding of Portland.

**John Carter:** I was nominated to testify. If you just open up the doors for citizens to really engage and handle the project themselves, it could be a lot more affordable. What I've been seeing for years in Portland is this top down approach to solving problems like this growth at all costs will itself be a solution. We know it's not. There needs to be a new consensus and

facilitation conditions for new civic life where quality of life is the goal. The brilliant ingenuity of our people can shine. I want to stress the broader point that Portland needs to be different rather than a copy and paste. Anyone allowed to vend, sell, and create in the streets should be allowed to, to remove the dead space that is so common downtown. We've seen with the heat wave that we had that adaptations to climate change is the goal. We can't fight it; we have to adapt to it. We need more trees, less concrete. We need to create car free places for people to gather and create. No more demolitions, we have beautiful architecture in our core. Adaptive reuse should be the goal. We need to free up the golf courses for small scale development. Rather than trying to micro manage through codes, you'll see some amazing things come through this. There's so much empty space. I study the commercial real estate market, there's so much empty space. I see spaces that are vacant for years. You told me this is in the works. I'm curious where you are at with it and what that policy would look like. I would love to see a moratorium on national corporate chains and mega stores setting up shop in our areas. It's the element of dollar trees showing up show a city in decay and not on the rise. Less regulations for individuals and more for corporations. Thank you.

**Wheeler:** Thank you. Appreciate your testimony. That completes communications, colleagues. Any items pulled off of the consent agenda.

**Clerk:** We've had no requests.

**Wheeler:** Please call the roll.

**Clerk:** (roll call).

**Wheeler:** The consent agenda is adopted. Next is time certain. We'll go to 550 that's a non-emergency ordinance.

**Clerk:** Agreement with the arts and culture council to administer arts programs for the city and provide for payment.

**Wheeler:** Colleagues I'm pleased to jointly introduce this item with commissioner Rubio. The arts and culture council. This ordinance authorizes the continuation of a long and in my opinion very successful relationship between the city of Portland and RACC which dates all the way back to 1995. RACC serves as our established agent for supporting artists and art organizations here in the city of Portland. They play a key role in cultivating creativity which is vital to our economy. With that I'll turn this over to commissioner Rubio. Good morning.

**Rubio:** I'm excited to bring this agreement to council. Arts and council are part of our DNA as a city. The last six months have made crystal clear that arts organizations are essential to our economy. I'm grateful that this council continues to affirm the importance of public funding and culture and creativity. Most of the public arts services grant making and city public art program managements. In 2012 Portland voters approved for the first time the access fund which generated additional resources to support arts education in public schools and art access in every corner of the city. These programs together with dedicated leadership with the board ensure the artistic heartbeat of our city continues even when we are in challenging times. In a few moments we'll share more details about RACC's work and impact. First I would like to introduce Jeff Hawthorne to give us an overview of this three year agreement.

**Jeff Hawthorne:** My name is Jeff. I am the city parks program manager. The ordinance before you today will authorize the chief executive officer to administer a variety of arts services on the city's behalf. This includes grants to artists and non-profit organizes. Coordinating arts in our schools. This contract also covers the three funding streams that support arts and culture and RACC specifically. That includes a general fund special appropriation which will start at three point seven million dollars this year with a cost of living increase in years two and three. The arts tax which generates about three million dollars a year for grants and arts education services for RACC although collections were down significantly this past year. The 2% for arts ordinance, 2% of publicly funded capital improvement project for maintenance and public art. That 2% gets broken down into the allocations you see on this slide. One of the goals was to make it easier to understand these funding streams and the various services RACC has in return. We wrote in collaboration this approach for this year. This agreement establishes a quarterly reporting schedule and we developed new preperformance measure to ensure that everyone has access to arts and culture in our community with a particular focus on underrepresented communities. Black, indigenous, latinx, lgbtqia communities and other disparities will be discovered during the course of this contract. This agreement is for three years. A comprehensive cultural planning process which may reveal new goals and priorities for the city of Portland. I'd like to thank commissioner Rubio and her office and the leadership team for their collaboration in this agreement. Tom is also on call with us today. We'll be

available to answer any technical questions that may arise. I'd like to turn it over to executive director at RACC.

**Madison Cario:** Thank you. Good morning. I use the pronouns they and them, I have the privilege of serving as executive director for RACC. I wanted to start by saying thank you for your continued commitment and investment across the arts and culture sector. It takes various forms and influences various facets of life. Art matters. It's at the core of everything we do. Inspire, delight, question, challenge, provoke, teach us. Teach us about equity, development for the years ahead. I think we can all agree that art and culture is the light that will bring our communities together. Before we get into the heart of our presentation this morning, I want to take a few minutes to reintroduce you to us, RACC, and to our relationship with the city of Portland. Like that favorite article of clothing that you kept for many many years. Our long standing partnership with the city has been through many washings and foldings. Sometimes we get folded up neatly together on the shelf and sometimes we get crammed from meeting to meeting. Our commitment of caring for that article of clothing continues. Together we have grown and changed. Building onto our shared objective of creating a diversity sector here in Portland. I'm proud of us. I'm proud of the work we have done together. I'm proud of this new contract. I'm proud of the phenomenal efforts the RACC team, board, commissioner Rubio and her team has put in to create the document before you. About us, we're a 501c3 non-profit. We do a wide variety of things. Grant making, supporting arts education and public art. Lesser known but just as important is our work in professional development. Across the community we are known not only for what we do but how we do it. That's really the magic of RACC. We are human centered and embed equity in our programs, processes, and services. When people call, artists, creators, community members, we answer the phone. When they e-mail, we respond. We are listening, innovating. We are RACC and your partner. We've been your partner since 1973. How amazing is that. We've had the honor of serving as a non-profit for over 25 years we've been working together for almost 50. I'm going to turn it over to take you through some brief highlights of our time together.

**Carol Tatch:** I'm the director of philanthropic innovation at RACC. It's my pleasure to greet everyone in the virtual room and say it's my pleasure to be a part of the team here at RACC who is so dedicated arts forward individuals. I've had the opportunity to interact and engage

with commissioners at the city and county levels and to see the reputation that RACC carries forward into those spaces has been amazing. It started a long time ago. We're nearing 50 years of partnership. Through some of the gray areas it's been longer. Some very major things happen to support the work we do including the development of the metropolitan's art commission which is a partnership with Portland that really started things and pulled our programs together. The arts plan that happens, arts plan 2000 that happened in 1992 and pivotal to all of this and our work together is establishment of RACC as a 501c3 non-profit to work with the connection with the community and the city and all of our government partners to put forward the needs of our community and the work that needs to be done. We have done that. We signed an IGA in 1995 with the cities and counties in metro. We carried that forward through the additional work that we do including the development of the ordinance of the coordination and access fund. It has been known as the art sacks. We're rebranding the name. It's an effort that we're using to lift and invigorate the community. Specifically our k through five arts education students. We have reinvigorated that program. The opportunity to center arts education in our schools as part of the lives of every student in the six districts is fundamental to the work that we do as we grow in our community and become useful citizens as they say. As of 2020 RACC created a new strategic framework that will carry us through 2022 that focuses on building the inner infrastructure to carry forward to the outer structure work. The opportunities we've had had even over the past year with covid 19 and Black Lives Matter has only elevated the work and allowed us to engage our community better. Back to Madison.

**Cario:** Thank you, Carol. Money matters. We know this. The arts and culture sector does more than inspire and education. As can you see on the slide from data collection nationally and shared out in 2017, the arts sector in Portland generated \$370 million. The audiences of almost 10 million added another 323 million. Approximately two thirds of these audiences are local. They are residents. All of this activity generated an additional 43 million in local state government revenues. I couldn't do a presentation without talking about covid. On the flip side, the data you're looking at here on this slide covers a period of March 2020 and February 2021. After more of a year and a half, the arts and cultural industries remain the hardest hit in the industries. The impact can be hard to descent. It's important to keep in mind

when looking at this data specifically and much of the data to date it does not reflect individuals who are self-employed or reflect those who work in this sector who don't identify their work as art. The impact on our community here in Portland is actually much greater. This makes RACC's work in community building and advocacy that much more important. I'm going to turn the presentation back over to Carol who will take us through some brief highlights and look ahead at the next three years. Before I do that, that 19 percent on the slide, 19 percent are not confident of their survival. That's six points higher than the average for the state of Oregon and the national average. We're keeping an eye onto see how we can better support these organizations and build a better city together.

**Tatch:** Thank you. Where have we been. What you have done for me lately. What have we done for the city and community? Fy21 was very busy to come into an organization with Madison's leadership as a new executive director and -- we had an opportunity to capture the moment. We had the opportunity to center the artists in the recovery process. Thanks to funding that came through so many wonderful sources. Two point five million from prosper Portland with support being in capture the moment. Two grants that allowed us to start looking into funding our work around racial equity. All of these happened in fy21 to allow us to have money come in and go right back out into the community. That is something notable and to understand that is our commitment to the community. We shifted our support for arts educators. We have a dedicated person who works primarily for works of the arts education and access fund. The work that she has done has been to illuminate the areas of inequity. How do we fill those gaps and support our teachers especially after the year covid through at us? I was able to attend several of the meetings we had with our arts liaison coordinators. The opportunity for workshops. That's what the arts education and access fund is doing now in this community. It's creating the space for people to grow and to lean in to help our students also survive this very challenging time. We have new community partners, we found new artists, our public arts project just blossomed during this time. We partnered in granting out 15 point seven million dollars. In addition to that. Madison med with national partners about how do we make sure not just the cares funding but the following arfa funding. How do we get that back out into the community to ensure the work gets done? That was at the table, we made sure we were at those tables in order to do that work. Most important of all and what

allows us to continue the work we're doing; we created our strategic framework. I jumped right in; I keep it on my wall. It becomes a sounding point of how we engage with our community with equity, clarity and engagement and intention. We lean forward into those spaces to ensure our community is supported. Where are we going together? This is a -- these are the points brought up when jeff did the introductory. We had our worries a little different only in that we had them spaced in the language of RACC. How we want to good out and work with the community. These are expanded in the next four slides. If I could have the next slide, please. How will we do our equity, diversity, and inclusion access work. There was a spring survey for the access fund teachers. Covid hit in the spring. What do you need? How can we help? What are the challenges? We brought into the fall with our community wide survey. We had a focus group of bipoc artists and creators to find out what is it RACC can do to help you? How can we best support you? Setting new benchmarks. What is it we need to strive for? How do we make sure our under represented communities feel like they have a voice and place? We help that out by inviting them to the table. We literally said please help us determine, make decisions for -- help us lead in this space. We did that. We try to make sure that we're supporting here at RACC an equity centered organizational culture. Our intent to lean into the spaces where we're lifting equity and access. How are we increasing our investments? This is one of my favorite spaces not just because philanthropic engage and advocacy. This is how we invest in the change we want to see. We have to know ourselves in order to understand the community. We have to have the community help us understand ourselves. How can we make sure we're increasing the amount of money going into the community? Have the conversations at the city level to maximize and leverage the work that we're doing. We have the same conversations with our county partners. How can we make sure that in many ways we're maximizing out the investment that community has placed in RACC to go back out into the community? We established those benchmarks and continue to make those partnerships at private and municipal support levels. To ensure the communities stay supported. How do we best serve equals meeting community needs? We've done surveys and will continue to do them. We uplifted feedback opportunities, created cohorts, and focus groups to inform the work we're doing. We invite people to be in the space and will look to be invited into those spaces to have the conversations to do and provide input within,

we sit in the specific spaces funders to listen. How do we learn and leverage that back out to the community and say you've told us what you need, this what you asked us for? Sharing our findings with our city partners is the best way to get this information out and about. It informs the work that the next set of goals that we want to reach and opportunities that we have to really engage with our community. Again, we sit in a space but we want to pay it forward. We talk about our learnings and share our learnings. We share the knowledge that we've gleaned and that others have brought to us. We make sure that the passion for art and creativity in the community stays amped up in a space that allows them to engage as well. How do we advocate and raise awareness? With our new advocacy manager, he spent his time since January focusing on the community. Hopefully you've been able to participate in the arts advocacy. There's a wonderful table where we active our partners to do the work. We'll be setting those benchmarks and understanding what our goals are. Listening, learning, and leaning in to figure out what the next can be. Access to that information that there's equity in the space of determining the work that we do and that we have indeed brought our community with us. How do we spread that love? We are better together in the work that we do. This partnership has been wonderful. I learn something new every day. It is my goal to continue to learn to lean in and listen and connect with you. To connect with you commissioners and mayor and those in the community who can best help us understand what is needed in this space. Again, we're better together. The logo that you see is one of the ways we reached out into the community this spring. We created a local context for the six districts where the arts access was distributed. Our winner was Vincent in the sixth grade. We have had just a wonderful time understanding the work that question do and that is set before us to do in this community. Thank you very much. Next slide will bring us to our questions. If there are any, Madison and I are here to answer them.

**Wheeler:** I'm not seeing any at this particular point. Commissioner Rubio, did you have invited testimony?

**Rubio:** Yes, we do. I would like to invite board chair to speak.

**Leslie Heilbrunn:** Thanks for the opportunity to speak today. I'm the vice chair of RACC's board designated to serve on behalf of Portland. The arts are so important to our sense of community. I'm so pleased after a few years of transition; it feels like RACC has found a place

of positioning and funding. Now this new three year contract we have key elements in place for Madison to effectively lead this organization. It is really exciting for us. Thank you so much. That's it.

**Tatch:** Thank you.

**Wheeler:** If there's no questions, commissioner Rubio should we seek public testimony.

**Clerk:** No one is signed up for this item.

**Wheeler:** I understand you might want to add an amendment to this.

**Rubio:** I need to add an emergency clause and amend the effective date. Should I finish reading it? The emergency clause shall read that council declares an emergency exists because delaying payment would negatively impact artists and organizations working to support the economic recovery. The agreement's effective date is revised from August 23, 2021 to July 1, 2021.

**Hardesty:** Second.

**Wheeler:** We have a motion for an emergency clause a second. Any further discussion on the amendment. Seeing none, please call the roll.

**Clerk (roll call):**

**Wheeler:** Amendment is adopted to the main motion. Please call the roll.

**Hardesty:** I see commissioner Ryan's hand up. .

**Ryan:** That was refreshing. We all could use your positivity. I had a couple questions. Sometimes I'm embarrassed to ask questions because I should know better maybe. I got confused that the county was added in 1999, I always thought of this as just the city of Portland entity. Did I get lost and go down a rabbit hole that's not necessary. Are we beyond the city of Portland with the partnerships?

**Tatch:** Thank you. There's an IGA. The IGA includes the metro and Multnomah county as partners. The IGA today is what we do for and with the cities.

**Ryan:** Thank you. The financing is all within the city. Okay. Good. That's what I assumed I thought since I watched the slide show, I needed to clarify that. The other question I have is first of all I'm very supportive of everything I've heard. I was a big fan of including k through five into the RACC web if you will, of services and inclusion. Big advocate for that. I didn't see anything about -- one of the premises of gaining more revenue is Portland has a really high

class appetite for arts. Sometimes we don't have the same amount of purse as some cities with that same appetite. I know some of the bigger arts organizations is about gaining more revenue. Are they a part of gaining more revenue when we go to the voters to pay our -- I don't want to say that word. To pay whatever you want us to call that?

**Tatch:** The arts education access fund. Maybe the arts fund.

**Ryan:** I'm going to say arts fund from now on.

**Tatch:** The answer is yes. Every organization that's part of general operative support will continue to be a part of general operative support. That's where they get annual funding for RACC.

**Ryan:** I appreciate that. I have seen some very good concrete efforts to lean into inclusion and diversity and equity. I think all great cities have great arts organizations that are the pillars and foundation. As we continue to lean into what's right, we continue to be inclusive and lift them up as well. Sometimes I feel that gets left out of the dialogue. I think we need to keep building on that beautification as the arts community. That's not a dig so much as me lifting up. And yes, I worked at one of those large organizations in a prior life. There's that.

**Tatch:** Certainly. Thank you for your questions.

**Wheeler:** Any further questions? Seeing none, please call the role on the main motion as amended.

**Clerk:** Hardesty.

**Hardesty:** Madison, thank you so much. You inspire every time you come in front of this council. Carol you added a level of expertise to RACC that is really critical as we start forward thinking about where we're headed. Jeff, your management of this program and responsiveness to the moment is really greatly appreciated. All of us have had to be flexibility over the last 16 months and nothing more so than artists and how we interact with artists and support artists and how we continue to be a city of great art, artists, and music. We could not do it without RACC's intentionality and without the real clear partnership. Commissioner Rubio is, I know, her heart is absolutely into ensuring RACC is as excellent as it can possibly be. I look forward to continuing to partner with her and the mayor on making sure that art is continuously, you know the k5 is good. I have to tell you elders love arts too. We need to make sure that we have arts available at every income level, at every age level, and that it

becomes more community focus. Some of my work with pbot is around creating these community spaces where art and music can coexist within walking distance from people's homes. We have a lot of work to do. I'm grateful for the leadership and the vision, and the partnership with RACC that will take us into recovery in a way that really values historic artists nature and music nature. That's what kept me in Portland. It was the music that kept me here when I first got here. I'm happy to vote aye.

**Clerk:** Mapps.

**Mapps:** I would like to thank the presenters for that excellent presentation. I represent the fourth and metro area. I really appreciate the influence of the arts and helping our city recover both economically and emotionally from the crisis. For those reasons, I vote aye.

**Clerk:** Rubio.

**Rubio:** Thank you for joining us today and providing such a compelling success story for your work at RACC. I also want to thank Jeff for his organizational leadership through the development of this contract as well. No industry has been more deeply impacted by the COVID-19 pandemic than our arts and culture sector. Hundreds of performances had to be cancelled. We're grateful that the federal and state of Oregon has stepped up with this emergency relief. We're thrilled to be planning the return of arts experiences throughout the city. I don't want to let the moment pass by without lifting up RACC with the response and they immediately pivoted their grant programs in response to the pandemic. Capturing the moments through music and individual yes recorded performances. They advocated very strongly for state and federal relief and relief from private sector as well. Meaningful steps to improve the experience of Black and Indigenous in the arts and ecosystem. Experiencing art produced during this last year and a half through the pandemic and the demands of racial justice and the artists and communities most impacted is an emotional one. It's a constant reminder of our resiliency as a city. These things keep me going and give me hope. I'm happy to take a moment to celebrate the important work here. I want to thank RACC and musicians and organizations to continue to bring the activity to our community that helps lift all of us up through the last year and a half and in the future. I vote aye.

**Clerk:** Ryan.

**Ryan:** First of all, thank you for your leadership commissioner Rubio. It's such a good fit for this role. All of you, your presentations were wonderful. We could all -- it was refreshing to have this report today. It reminds us that art truly does save lives. When I was looking at the slides the one that was so gripping was that 19 percent said they were not confident of survival and 73 percent is having a severe financial impact. That's pretty deep. If you couple that with the statements that were made about the economic impacts of the arts and connect the dots and talk about economic revival, survival, and prosperity as our top priorities, it's part of what we're discussing today. As a part of our economy. Someone who comes from the arts background, I want to personally get back to you from my office. Housing of artists that gather in our city. Price points for housing. I think we have a lot of concerns collectively about where artists can live in Portland. I'm honored to support this ordinance that will boost our arts programs. I'm an enthusiastic aye.

**Clerk:** Wheeler.

**Wheeler:** I want to extend my sincere gratitude for everyone that joined us today. RACC has been a strong partner with the city of Portland for the past 26 years working to build Portland's reputation and the reality around our creative center. Arts and culture are vital both to our economic recovery and emotional healing that's necessary after the past 14, 15 months. Everyone here deeply appreciate the resilience that arts organizations have shown. Thank you for your service as our second responders as you have helped us reflect and recover in the city of Portland. I'm appreciative. I vote aye. The ordinance is adopted as amended. We'll move to the second time certain. This is a resolution, item 551, please.

**Clerk:** Appoint Brenda Ketah to the charter committee.

**Wheeler:** This fills a vacancy that was created by resignation. Council offices followed the same approach to fill this vacancy as we have done with the original appointments with the applicant pool and the agreed upon criteria selection. I'm pleased to present Brenda to fill the vacancy. She has served as the executive director as the homemade Portland which is a local non-profit whose mission it is to provide safe and dignified housing to people experiencing homelessness. She established a food back pack program for students facing food insecurity and she serves on the Portland council pta board of directors. She is here with us today. We

invited her to share a few words with us. With that, would you like to say a few words and tell us a little about your interest in serving.

**Brenda Ketah:** Good morning, everyone. Thanks for having me. I'm executive director of the home builder's foundation. I have kids, I'm interested in what's happening in our city. I'm just excited to be able to serve. Thanks for having me.

**Wheeler:** Any questions before I ask for public testimony? Do we have anybody signed up for this resolution?

**Clerk:** No.

**Wheeler:** Very good. If there are no questions, we'll call the roll.

**Clerk:** Hardesty.

**Hardesty:** Thank you so much for your willingness to serve in this very vital role. I would encourage you to be openminded, listen to the community far and wide. And own your independence to be able to independently hear from the public what it is they'd like you to move forward as their representative. Thank you for your willingness to serve and I'm very happy to vote aye.

**Clerk:** Mapps.

**Mapps:** I'd like to thank Brenda for your service to our city. I think it's one of the most important projects happening in Portland right now. I look forward to the ideas that you are going to craft over the current months. That work is going to make Portland better, I hope. For these reasons, I vote aye.

**Clerk:** Rubio.

**Rubio:** Thank you so much for your current service in the community in your current role and your willingness to serve in this important one just like my colleagues have said. You're bringing so many important perspectives to this work. We're grateful that you are committing to do this work together with the city. I'm looking forward to following your thoughtful deliberation as the charter commission unfolds in the future. I vote aye.

**Clerk:** Ryan.

**Ryan:** You have a great resume and life experience. I'm especially fond the food back pack for our students of low income and food insecure. You have the right heart for this job. I appreciate you.

**Clerk:** Wheeler.

**Wheeler:** I could not be happier to you have serving in this capacity. It's going to be a lot of fun. High exposure. I think this charter understanding there's things that work very well and things that are fundamentally broken. I have a prediction; I'm not suggesting any particular policy or direction here. Although I think I'm well on the record for all of the above. I believe the actions of this particular charter review commission will prove to be historic and quite possibly be remembered after everybody forgets everybody sitting on this council. I envy you and your colleagues having this tremendous opportunity before you today in the context in which we all lead. The pay isn't particularly good but you are exactly the right person to serve on behalf of this council. The appointment is approved. Thank you.

**Ketah:** Thank you.

**Wheeler:** With that we'll move to the regular agenda. Item 558, please.

**Wheeler:** Authorize contracts to provide auto body repair services for a five year term and not to exceed four point five million dollars.

**Wheeler:** This is a second reading. We have heard a presentation and taken testimony on this. Any discussion. Seeing none, please call the roll.

**Clerk:** (roll call).

**Wheeler:** 559, also a second reading.

**Clerk:** Amend a grant with LifeWorks NW to provide \$110,000 in additional grant funding through June 30, 2022 for the New Options Program.

**Wheeler:** Any further discussion on this item? Seeing none, please call the roll.

**Clerk:** (roll called).

**Wheeler:** The ordinance is adopted. 560.

**Clerk:** Accept an Engineering Report on a proposed encroachment into the public right-of-way for a subsurface tunnel under SW Main St.

**Wheeler:** Commissioner Hardesty.

**Hardesty:** We have before us today an ordinance that will accept an engineering report that details specifications of a potential tunnel that will connect the athletic club's current parking structure with a future housing development a block south. This will be an important facility in this dense neighborhood as it will keep driveways from being created and develop

maintain current traffic patterns and provide a safer pedestrian environment. Pbot staff is here with a short presentation. This is an emergency ordinance.

**Wheeler:** Could I get advice from legal counsel. This is a private athletic club. I am a member. I want to make sure I am able to participate in this discussion and if not, I'll sign off. Could you give me some indication whether that is in direct conflict?

**McGair:** Sure. The actual developer is a separate LLC which I assume you are not a member of. Your participation as a member of the athletic club is fine. Specifically since you disclosed it.

**Wheeler:** Very good. I honestly have nothing to do with this in any capacity as a member of the club. I go there when I can to work out. Thank you for that. Commissioner Rubio has a question.

**Rubio:** I also wanted to disclose that I'm a member as well although I haven't been there in a while.

**Wheeler:** Right there. I think that's all you need.

**Hardesty:** Now I know how to get in if I ever want to get in. I think I'm good. What's the pleasure mayor. We're happy to do a brief presentation if there's a desire for that.

**Wheeler:** Any interest in a presentation or do you have specific questions. Why don't we get the short version of a presentation? I haven't been exposed to this. I would like to see maybe the five minute version.

**Hardesty:** Excellent. I have someone here from transportation.

**Bob Haley:** Good morning. I think the clerk has a presentation queued up, hopefully. We have the engineers report for a major encroachment. This is being reviewed under the document almost 40 years old encroachments in the public right of way. If you can read it, you can take a look at look at who the council members were when that was adopted. The site is a vacant block across the street from the map club. I know council members are fairly new to these major encroachments, we get one or two every decade or so. One is below grade which is what this is. We have some examples of what this is. You did see the sky bridge a few months ago that you were in favor of. We have -- this is the location. It's midway between 19th and 20th on main. This is the cross section. Two-lanes and a raised protected sidewalk for the members walk go cross underneath. And a cross section of a profile with the

utilities that will be above. We did send out a thirty day utility review for all utilities who have a franchise agreement including our own water and sewer bureaus. We have not receives any negative comments or concerns. The city engineer recommends approval of the subject tunnel. This is a totally private structure, built privately with a building permit. They will instead of getting an encroachment permit which by definition revokable. We do enter into a lease. This makes some revenue for pbot in leasing that right of way. These are standard conditions that have been in most of what you have seen come forward. That's the end of my presentation unless you have any questions.

**Wheeler:** I'm glad you gave you that presentation. That was helpful in terms of context. Any questions on this item. Any public testimony?

**Clerk:** No one is signed up.

**Wheeler:** This is an emergency item, please call the roll.

**Clerk:** Hardesty.

**Hardesty:** I want to thank pbot for their work preparing this engineering report. It's always a good thing when the private sector creates revenue for a public sector responsibility. I vote aye.

**Clerk:** (roll called).

**Wheeler:** The ordinance is adopted. Next item, item 561, also an emergency ordinance.

**Clerk:** Authorize the bureau of transportation to acquire certain permanent and temporary rights necessary for construction of the outer division multi modal safety project through the exercise of the city easements eminent domain authority.

**Wheeler:** Commissioner Hardesty.

**Hardesty:** We have before us today a temporary easements for the multi modal improvement project. I know we all support to make Portland streets safer. I'll turn it over to martin in the Portland bureau of transportation to answer any questions the council may have.

**Marty Maloney:** Good morning. I'm with pbot right of way. I'm joined with Liz who will start the presentation providing an overview of the outer division project.

**Liz Tillstrom:** Thank you. Good morning mayor and commissioners. I'm having to join on my phone this morning. I don't have video available. We've been to council a few times over the last year talking about this project. Today coming before you for authorization to begin the

right of way proceedings. If you could advance to the next slide, please. This is the vision zero corridor project for south east division street. Pbot will be constructing major improvements on the corridor. We were before you in April. They will be beginning construction this week. Pending your authorization today we'll begin processing the right of way files and begin the phase two elements and approve the areas that require phase two easements that will begin in October and close out in the summer and close out the construction in the fall.

**Maloney:** Agenda item 561 gives the authority to compensate and if necessary condemn the property rates associated with the project.

**Tillstrom:** Can we advance the slide?

**Maloney:** Is it showing? Perfect. Permanent and temporary rights are needed from 36 individual properties, they have been identified bit project. Permanent rights are needed from 21 of those properties. Temporary rights will be needed by all 36 to facilitate construction within those permanent rights within the existing right of way. Owners effected by the property rights have been informed of the project. The need for these rights we're actually invited to attend these reading as well. That completes the presentation. If council has any questions we'll be happy to answer them at this time.

**Wheeler:** I'm not seeing any questions. Do we have anybody signed up for public testimony.

**Clerk:** No one is signed up.

**Wheeler:** If there are no questions. That was a good presentation. Please call the roll.

**Clerk:** Hardesty.

**Hardesty:** This is a vital project for the city of Portland and the outer division. I'm proud of the work that has been done so far. This is about saving people's life and making sure we're investing in multi modal transportation in high traffic areas of Portland and goals around vision zero.

**Clerk:** Mapps.

**Mapps:** Aye.

**Clerk:** Rubio.

**Rubio:** I want to thank commissioner Hardesty for lifting up the importance of safety on the east side. Thank you for pbot for bringing this forward. Looking forward to this project. I vote aye.

**Clerk:** Ryan.

**Ryan:** It's great to see action to get to the results that we want for vision zero. Aye.

**Wheeler:** Absolutely aye. The ordinance is adopted. Thank you. 562 please.

**Clerk:** Vacate unnamed alley between southwest McDonnell Terrace and SW Fairmount Blvd subject to conditions and reservations.

**Wheeler:** Commissioner Hardesty.

**Hardesty:** We have a street vacation hearing for a small unnamed alley in southwest Portland. I'll turn this over for a presentation on this matter.

**Dee Walker:** Good morning. How is everyone?

**Wheeler:** Great.

**Walker:** Good to see you. I'll share my screen real quick. This is a street vacation for an alley between SW McDonnell and Fairmount Blvd. It's located right here, next to Madrona Park. We are talking this little alley right here between those streets. This gives you a better idea of the area, this dashed line is previously vacated many years ago. What we are vacating today is the remaining pieces of the alley. This is what it looks like. So as you can see, right now the alley is actually this major construction cement wall and this deck were built into this alley. So this alley is where these walls and deck is. The right of way is being held up by plywood. The developer of this property in 2015 went ahead and applied for a few permits from the city. Two permits. The one for the alley was denied. So the developer built all the improvements across the alley regardless of being denied the permit. When he sold the property, the homeowner who bought it paid cash and was from out of the country so they weren't aware. Many years later when they put the house on the market, the new buyer couldn't get a loan because a lender won't finance a property that has improvements built into a right of way. So the owner said what can we do? They applied for a street vacation for this area. As it turned out pbob notifications went out to everyone and everyone was pretty supportive of the vacation. It's a really steep slope. It's something we don't want to have to maintain. I'll show you a picture here. This is how sloped it is looking from Fairmount boulevard. There really isn't anything we can do with this property. Pbob was pretty happy to get rid of it actually. There were a couple of conditions imposed because things were left as they were. Bridges and construction requires us to finish the retaining walls to secure the stability and take care of

the erosion. There's the homemade drainage that's draining into the right of way. You can see how the retaining wall was never finished. The conditions are that they complete all this work and bring it up to code. Development services, the same thing. The unpermitted work needed to be brought into conformance. Once they bring everything up to code, and stabilize our right of way, we will go ahead and get the ordinance recorded and be done with the rest of this alley. That concludes my presentation if there are any questions?

**Wheeler:** Any questions on this item?

**Hardesty:** The original developer that built in a spot that they were not permitted to build, what are the consequences for behavior like that?

**Walker:** As far as I know, really the only consequence is when they come in for permits, I believe the fee is doubled. They have to pay twice the amount of what the original permit would cost. Other than that I'm not sure if there are any other consequences.

**Hardesty:** I would be very curious if we traced folks who built things and then sold them to other unknowing people and, in fact it's not up to code. Maybe that's a conversation we should have about how do we make sure that doesn't happen to another family.

**Walker:** Yeah. I was surprised it even happened because inspectors had to go out and inspect the one that was approved. I would have thought that they would have caught the improvements that weren't approved. But it's possible that, you know, the developer waited until they came out and inspected one and built the other. All I know is one was approved; one was denied and the developer bill it any way. These are massive concrete walls on a very steep slope. Yes, no one is happy about this situation. Because of the slope, pbot doesn't want the asset anymore. If we did want the asset, it's pretty disheartening this happening. The seller had to put in a large amount into a separate escrow account just in case the vacation was not approved because all of these improvements would have to be approved. It is a good outcome for everyone. It was unfortunate how it occurred.

**Hardesty:** Thank you that was very thorough. I learned something new today. I just couldn't imagine having that concrete thing right at your backyard knowing that as the soil shifts there's a potential for that cement wall to come down on your head. Thank you very much.

**Walker:** Thank you.

**Wheeler:** Very good. Do we have any public testimony on this item?

**Clerk:** No one is signed up.

**Wheeler:** This is a first reading of a non-emergency ordinance. It moves to second reading. Thank you everyone. Good discussion. Next item, 563.

**Clerk:** Amend intergovernmental agreement with Multnomah county department of community justice for an additional \$375,000 to hire at-risk youth for outdoor maintenance and landscape services.

**Wheeler:** This is a second reading. Any further discussion. Seeing none, please call the roll.

**Clerk:** Hardesty.

**Hardesty:** I want to thank you commissioner Mapps for your openness to answer questions last week. I learned a lot about this program and how successful it's been for both the participants as well as the partnership with water and the county's community justice department. I'm very happy to vote aye.

**Clerk:** Mapps.

**Mapps:** Colleagues, this program plays an important role in maintaining the water bureau's infrastructure. I'm delighted to vote aye.

**Clerk:** Rubio.

**Rubio:** I want to thank commissioner Mapps for bringing this forward. Thanks to our partners and the water bureau. I'm happy to support this moving forward. I vote aye.

**Clerk:** Ryan.

**Ryan:** Aye.

**Clerk:** Wheeler.

**Wheeler:** The ordinance is adopted. 564, please.

**Clerk:** Authorize contract with the division midway alliance for culturally responsive community outreach and translation services for the mill park design project in an amount not to exceed \$35,000.

**Wheeler:** Non-emergency ordinance, commissioner Rubio.

**Rubio:** Thank you. I want to appreciate my colleagues for approving the mill park project earlier this year, located in east Portland. I was able to tour the park a couple months back. I know they will work to ensure that marginalized linguistic community will have a say in shaping the park. The service area is the focus in this project. I'm very impressed with their

deep passion for the work and numerous and positive relationships. They are trusted by the communities in this neighborhood and they are extremely qualified to provide these services. I'll turn it over to staff.

**Maija Spencer:** Hello mayor Wheeler and members of the council. I'm Maija Spencer and I'm a coordinator. I believe the clerk is going to pull up the presentation for me. Great. Excellent. I'm here today to request council to authorize contracting with midway alliance for culturally responsive outreach to not exceed amount of \$35,000. The division midway alliance is a place based economic prosperity for residents and businesses. Works with the community south east division street. DMA is part of a neighborhood prosperity network designed to support social equity based community development at the neighborhood level. Foster economic opportunity and vitality throughout Portland neighborhoods with a focus of low income populations. Culturally specific outreach in multiple languages within the division community. Trusted relationship with mull m cultural and specific communities that include small business support, 2020 outreach, entrepreneurship classes, covid 19 assistance, outreach with pbot and their annual festival of nations event. As we've discussed recently at council meetings, pbnr is taking another step towards more equity park access by developing mill park. The park is located within the block founded the mill park. It will serve a community rich with ethnic diversity. The mill park design project will require community outreach that's culturally appropriate and successfully engage communities that will use the park. Our community engagement plan includes five project advisory committee meetings representing neighbors, the school, religious communities. We'll host three community gathering events with the broader community. We'll be able to reach communities who speak a total of seven languages including English. The communities who will be doing out reach are listed on the screen. Enhance community outreach for the mill park design project. The partnership will create a process that is equitable and inclusive in ensuring the park reflects the communities need. Unfortunately I'm trying to figure out how to contract with DMA, they do not qualify as a covid certified firm. Diverse, minority, women owned. Works in multicultural, a covid direct contract is not viable. The location, skill set, and relationships makes them positioned to provide these services in a way that other organizations cannot perform. We're seeking approval today in a sole source procurement. We request council's

approval to perform this important outreach for the mill park design project. Thank you. I'll be happy to take any questions.

**Wheeler:** Very good. Any questions? Anyone signed up for public testimony on this item.

**Clerk:** No one signed up.

**Wheeler:** This is a first reading of a non-emergency ordinance. It moves to second reading. Next item 565.

**Clerk:** Temporarily modify and waive portions of city code titles original art murals, signs and related regulations, and planning and zoning to assist businesses, organizations, and entrepreneurs to adjust and continue operations during and through the covid 19 pandemic.

**Wheeler:** Commissioner Ryan.

**Ryan:** Second reading. We've had a lot of dialogue about this ordinance. It has evolved. I think it landed in a sweet spot with a better policy. Over the last couple weeks commissioner Hardesty and I have been in dialogue working with director and her team and we crafted an amendment that focuses the temporary waiver on non-conforming upgrades. We have a tactical amendment suggested by our city attorneys and would like to introduce an emergency clause. Three amendments and the final vote. With that I would like to welcome back Matt and director Esau to present the amendments and answer any additional questions.

**Hardesty:** Matt we can't hear you. Are you on mute?

**Ryan:** Director Esau, how's your technology going.

**Rebecca Esau:** It's going just fine. Matt, can you take yourself off mute? He's got the presentation.

**Ryan:** Matt, you will never forget this ordinance.

**Hardesty:** He wasn't on mute.

**Esau:** Matt we can't hear you.

**Ryan:** Director Esau, can I ask you to use your wisdom to guide us.

**Esau:** Okay. As commissioner Ryan covered, we have two amendments plus an emergency clause today. We discussed this as multiple sessions with you and got some input from the city attorney regarding language on the murals and we're adding that emergency clause to get this ordinance into effect as soon as possible. Next slide, please. All right. What we've

done in the meantime is looked at 2019 permit data related to the non-conforming threshold. We narrowed the scope of what we're looking at to retail sales and service to the conforming code. Tenant permits that had a tenant and mercantile subtype. A total of 607 permits fitting that description. The current threshold is \$306,000 or less are exempt from doing non-conforming upgrades. If we increase the threshold to five hundred thousand dollars, that added another 18 permits. Not a lot of gain there. The 1 million-dollar threshold, 98 percent of all of those permits. In talking with commissioner Ryan and Hardesty, that was the direction we wanted to go because we wanted to cast as wide a net as possible for those projects in those uses in that description type to provide the most benefit. Materials cost has gone up and remain high throughout. Cost for these projects is probably higher than it was two years ago. For the non-conforming upgrades the specific types of projects that we're talking about that would get this temporary waiver for non-contemporary upgrades. We're talking day cares; elder care is also in that category. The next one is affordable housing. Community service uses, shelters, substance use treatment centers et cetera. As we just described, the retail sales and service uses with that dollar valuation of \$1 million or lower. The city attorney has made a recommendation as to how we word this language in the ordinance regarding boarded up windows. The deadline for that is all stated there. I think we've covered that in the previous presentation. Next slide. The emergency clause language that we've put together so that this can go into effect as soon as possible. Next slide. I think that's it. Okay. That concludes the presentation. Are there any questions or comments at this point?

**Wheeler:** I'm not seeing any. Commissioner Ryan, you had some amendments.

**Ryan:** Yes, I do. Let me see if I have them all in front of me. There's a motion to amend directive b as follows. That's good, isn't it. Am I supposed to read all of this, mayor?

**Wheeler:** I'll defer to legal counsel.

**McGair:** It's fine. I can actually read a smaller version. There's three amendments. The first one is to amend directive j notwithstanding directive in directive i. A3 and b3, to allow murals and the materials on which they are fixed to remain in place without a permit or adjustment to December 1, 2021.

**Hardesty:** Second.

**Wheeler:** That is moved by Commissioner Ryan and seconded by Commissioner Hardesty. That is one.

**Ryan:** Amendment one. Do we vote on that now?

**Wheeler:** Just put them all on the table and I'll ask if we have public testimony.

**Ryan:** Ken can you take on the others?

**McGair:** The second amendment I was given is to b which says, waive pcc.

**Hardesty:** Excuse me Mayor, point of order. Can we have the slide match?

**Wheeler:** Isn't this the correct slide?

**McGair:** That's the one we just did.

**Wheeler:** Can we change the slide so it matches, please. That's the one we were just looking at. Is there a different one? Okay. Is this an eye test. That's the same one. This is it.

**McGair:** That looks to be the correct amendment. The amendment is to waive d1 and d2 for the following projects. Projects including a community service use as defined in. A day care use and c development with affordable housing units. When 50% of the affordable housing units are earning no more than 60% of the median area income. Retail projects including one or more sales and services uses if the project valuation is one million dollars or less. Permits submitted after March 31, 2023.

**Hardesty:** Second.

**Wheeler:** Commissioner Ryan moves and Hardesty seconds. This is Ryan amendment number two. There's a third one.

**McGair:** That's to add the emergency clause. Council declares an emergency exist because businesses need emergency relief through the economic crisis for the covid 19 response. Dates forecasted concerning when the economy returns to precovid 19 levels and necessary time lines for businesses to transition to precovid 19 operations. This will be immediately effective upon passage of council.

**Hardesty:** Second.

**Wheeler:** Any other amendments.

**Ryan:** Three amendments and the vote.

**Wheeler:** Is there any public testimony.

**Clerk:** No one is on the call.

**Wheeler:** Any other discussion on these items. With that we'll vote on the amendments in sequence. We'll start with commissioner Ryan amendment one. Please call the roll.

**Clerk:** (roll called).

**Wheeler:** Adopted. Amendment number two, please call the roll.

**Clerk:** (roll call).

**Wheeler:** Adopted. To the emergency clause. Any further discussion? Please call the roll.

**Clerk:** (roll called).

**Wheeler:** The amendment is adopted, to the main motion as amended. Any further discussion? Please call the roll.

**Clerk:** Hardesty.

**Hardesty:** I want to take a moment to thank commissioner Ryan, clearly where we are today is a different place than when we started this conversation at council. I am really grateful for the time that director spent with me and my staff and commissioner Ryan for your openness to continue the conversation and dialogue. It is my belief that this is a solid policy. It's a solid policy because we listen to each other. We adopted where we thought it made sense. I'm very very pleased to be able to vote aye today. I would not have been a couple of weeks ago. Just goes to show what team work will do. I'm happy to vote aye.

**Clerk:** Mapps.

**Mapps:** I'd like to thank commissioner Ryan for his leadership in bringing this item forward. Thank you to all of bds staff that will help Portland get back to the business of opening up. For these reasons, I'm happy to vote aye.

**Clerk:** Rubio.

**Rubio:** I also want to thank commissioner Ryan and the team for bringing forward this ordinance. And also my colleagues for working together to get this policy right. Especially regarding these two amendments. I also want to thank my colleagues for supporting my amendment to extend the time line for mural it remain in place. We're engaging in this work and it takes time to do it respectfully. I'm thankful and proud to see how bureaus are stepping up to help our businesses in this time. I vote aye.

**Clerk:** Ryan.

**Ryan:** Thank you colleagues. This was quite a journey and a good one. I appreciate director for your openness. I really do think we landed with better policy because of this process. This ordinance provides several ways our businesses can grow again. I vote aye.

**Clerk:** Wheeler.

**Wheeler:** I want to express my thanks to commissioner Ryan and thank it other commissioners who worked with commissioner Ryan on what I think are thoughtful collaborations. I know what may seem self-evident on its face is extremely complicated. Thank you director and your whole team for doing a great job of working through this and working with members of the city council to make this a thoughtful package. I'm very happy to support this effort. I vote aye and the ordinance is adopted as amended. Let's see, 556 please.

**Clerk:** Approve application under the multiple-unit limited tax exemption program under the inclusionary housing program for Modera Morrison apartments located at 1130 se Morrison St.

**Wheeler:** Commissioner Ryan.

**Ryan:** We have one of those wonderful multi applications. This project was elected to use the bedroom reconfiguration action. We have the housing bureau here to present the specifics. I will turn it over to you. Look forward to the presentation.

**Matthew Tschabold:** Thank you commissioner. Mayor and members of council. As usual just an update on the inclusionary housing pipeline before we go to the project specifics. Using still the data from April. Our key one data this year, we're finalizing our q2 data right now. We have almost one hundred inclusionary units that are open or in construction or confident will move to construction. The majority or 60% of the median income or below. We're seeing larger bedroom counts than what is otherwise produced in the housing market. This particular project is at Morrison street. They are using the bedroom reconfiguration option. We're pleased to see that they are doing this at the 60% of the median income level where there's a higher need. The three bedroom units are larger units which is suitable for families. There's a strong need for family size housing that is affordable to the average household and average worker. In total we'll get ten three bedroom units and one studio unit. They will rent

significantly below market. The housing bureau is recommending approval. I'm happy to answer any questions.

**Hardesty:** If I may. Thank you. I had a question about the tax exception for all the common area and the parking. That not something I've seen in multi applications in the past. Could you tell me why we are exempting all common areas when we're getting so few units?

**Tschabold:** We may not have been as explicit in the language. When a building does get the full property tax exception. For buildings in the central city that are zoned at far1 or greater they are eligible for the property tax exception. All residential or residential relate parts of the building. The hallways and common areas and parking that is dedicated to the people who live in the building.

**Hardesty:** To all the people in the building.

**Tschabold:** Correct. The full tax exception on all the residential square footage in the building.

**Hardesty:** Are we going to study whether that makes any sense at all. With the climate change study, is that one of the questions that we're going to answer. I think that's a poor policy for a place that has the best transportation in all of Portland. That seems outrageous to me.

**Tschabold:** It's not something we've specifically thought about. In the feasibility analysis, we can certainly look -- we'll have what the value of the property tax exception is on various parts of the building, we can certainly share that with city council and take direction on whether they want to continue to apply the property tax exception on all residential and related or tailor it to just the residential space.

**Hardesty:** I hope we do that before you put another proposal like this in front of us. This is hard to support with that embedded in it. I do understand how desperately we need three bedroom units at a descent size square footage. That troubles me that that is just an automatic that happens without any conversation. Thank you.

**Tschabold:** Thank you, commissioner.

**Ryan:** I just wanted to follow-up with what -- that dialogue was exactly the type of conversation we need that helps us make sure when we do the study covers all of our

concerns. This was an inspired policy; you start to see what is working well and what isn't. That's why we're doing this study. Thank you for bringing this up. I appreciate it.

**Wheeler:** Very good. Any further questions at this time. If not is there any public testimony?

**Clerk:** No one signed up.

**Wheeler:** All right. This is a first reading of a non-emergency ordinance. It moves to second reading. With that colleagues we are adjourned until 2: 00 p.m.

**At 11:35 a.m., Council recessed.**

## 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.

July 14, 2021 2:00 p.m.

**Wheeler:** Good afternoon, this is Wednesday afternoon July 14th, 2021 session of the Portland city council. Please call the roll.

**Clerk:** [roll called].

**Wheeler:** Under Portland city code and state law, we're holding this meeting electronically, all Commissioners are participating via technology. The audio broadcast of the meeting is available to the public on a number of channels, including the city's YouTube channel, [Portland.gov/video](https://portland.gov/video). We invite people to participate. Thank you for your patience and understanding as we manage through these circumstances to conduct business. I turn it over to the council for rules of order.

**Lauren King:** Good afternoon. To participate in council meetings, you may speak about any subject. You can sign up for public testimony on ordinance. The agenda contains information on how and when you sign up for testimony when the city is holding electronic meetings. Your testimony is considering the matter held at the time. Please disclose if you're a lobbyist, if you're representing an organization, please identify it. The presiding officer determines the length of testimony. When your time is up, the officer will ask you to conclude, disruptive conduct or interrupting others or testimony won't be allowed. A warning will be given. Mees be aware that all council meetings are recorded. **Wheeler:** One item, item 567.

**Clerk:** Consider the neighborhood negotiation to approve with conditions a proposed new five-story mixed use building at 1137 northwest 23rd avenue in the northwest planned district lu20-12360.

**Wheeler:** We're going to hear from the city attorney to make announcements about the

hearing.

**King:** This is evidentiary hearing. You may submit evidence in support of your arguments.

The appellant will go first and will have ten minutes to present the case. Following the appellant, persons that support the appeal will go next. Each person will have three minutes to speak. The opponent will have 15 minutes to rebut the presentation. If there's no opponent, they can talk to persons who oppose the appeal. Each person will have three minutes to testify. The council will take a vote on the appeal. If council takes a vote today that will conclude the matter before the council. For hearings, I like to make guidelines. Regarding submitting evidence into the record, any letters or documents you wish to be part of the record you should e-mail. Drafts photos et cetera should be given to the clerk. Testimony must be directed to the approval criteria. Any testimony arguments and evidence you present should be directed to the approval criteria or other criteria in the city's comprehensive plan or zoning code that you believe is a decision. The media staff provides this as part of the staff report. You must raise an issue clearly enough to give the council and parties an opportunity to respond to an issue. If you don't, you'll be precluded from appealing from the land use board of appeals. The applicant must raise constitutional challenges. If they do not, the applicant will be preclude from bringing action for damages in circuit court. That's all for me.

**Wheeler:** Do any members of council wish to declare a conflict of interest? I don't see anybody. Ex-parte contacts they like to disclose. Have any members of the council made any visits to the site involved in this matter? Council members have other matters that need to be disclosed prior to continuing with the hearing. I'm not seeing anything, so with that we move right into the staff report, Commissioner Ryan, I don't know if you have an introduction.

**Ryan:** I do not.

**Wheeler:** Very good. Staff report, please.

**Grace Jeffreys:** I'm going to share my screen.

**Wheeler:** Looks good.

**Jeffreys:** I'm city planner with the design and I'm here to introduce this land use appeal for the Marshall apartments. This side is located in the western edge of the northwestern district. By NW 23<sup>rd</sup> Ave. shown in yellow. NW 23<sup>rd</sup> is designated a main street and it's on a street car line, which is shown in the hatch. This is the zoning map for the site, indicated in red, which is

zoned commercial mixed-use to design and centers main street overlays. The adding shading in the commercial zoned areas in orange focused on northwest 23rd and the streetcar zones. Residential zoned areas west of 23rd and at the site. This proposal has far proposals 3.81 which is allowed 4-1 and height which is 55 feet which this is. The sides are 200-foot long. It lies between Marshall. This is a focus for the northwest planned district. This is to the east of the side across 23rd is a six-story site. The type three design for the approval for five stories, mixed use building on the site with 10,000 square feet as shown in the bottom left, the ground floor in orange. There's 74 units and the four floors above that in the upper left corner. There's 44 below grade parking spaces which are accessed off Northrup. Right image shows the view from northwest 23rd and the lower right image shows the west side view that faces the nobody hill residential area. You see the building has been stepped back from the west property line in a u shape. The criteria for design review are the ted lines. There's zoning requests added to the review. Those are Portland sections 43, 825, 040. We have gone through the design. Feedback was solicited from the public. It was posted with images and description of the proposal and the staff and the applicant. A mailed notice was sent out by nearby organizations and residents. A public hearing held on May 6th. That included the project. That decision of approval has been appealed by the northwest district association on June 4th, 2021. At May 6th hearing, the commission determined if it followed guidelines. They said it responded well to the context, residential to the west. They also found out that it was funded around that use and storefront designs enhanced the three street frontages. This complimented the rich texture. Because it found that it met guideline, they approved the design review with recommendations. The approval criteria which was the setback of the upper 5th story. The NWA appealed the decision and in the statement, they listed their concern as follows. The staff report finding for community designed guidelines, p1, p1.1 design considerations, is not against the content of the subject guideline regarding step backs and they felt inappropriately referred to the step backs and other facades. Both of which they felt were irrelevant to the guideline. Before this specific issue, I'm going to begin with background information. First the design review process. Followed by how the design guide lines were intended to be used and finally to guidelines p1. Design review, staff, and the commission with proposals put forward against the relevant guidelines for the site.

During the design review we study this context for each specific site in form of the review if a proposal is found to meet the guidelines, it is approved. If not, we work with applicants to refine the design to insure it does or proposal would be denied. For this review, approval criteria are the guide lines as I mentioned. Direction on how they were intended to be used. Well-designed guidelines or mandatory approval criteria that must be met as part of the design review, it also has a design review process is designed to be flexible to encourage designs that are innovative and appropriate to specific locations. The objective standards, many ways to meet guidelines, this is p1, enhance the sense of place and identity. Building design features. It references appendix j for the characteristics and conditions within the northwest district area. Appendix j provides general district consideration. Shown here which are intended to give a general sense of the quality to the district. However, these are not area specific. Each area that make up the plan district, there's more specific considerations provided. This is in the main street area. For the main street area, more specific directions provided under the heading of architecture, urban pattern and design characteristics and traditions. All of these factors, and the area specific provide guidance on how to meet p1 and enhance the sense of place and identity for the development of this specific site. The appeal points to one aspect of the consideration which asks that new buildings and additions that are taller than the two to four-story building height that is predominant in the district should have the upper stories step back in order to contribute to a more consistent streetscape and maintain neighborhood scale. In deliberations and findings they found the proposal met character in numerous ways. Tall buildings and the front windows and the generous canopies. The architectural scale and the fine grain pattern of development. The ground floor with upper store residences continues the historic use patterns of the district. While the efforts this way was not stepped back from northwest 23rd the height is addressed to maintain that consistent streetscape on neighborhood scale facing 23rd. And the commission found that the proposed design contributed to a more consistent streetscape and helped better for scale for this specific site by locate the five-story east to northwest 23rd facing the commercial area and the streetcar line and the six-point hospital across the street. Rather than shipping it closer to the smaller scale residential areas to the west. As the body you have three option, first uphold the design commission approval, deny the appeal but modify the

commission's decision and instruct the applicant to revise the design and return to council at a future date or you could grant the appeal and overturn the condition of approval, in this case the project would be designed. This is the end of my slide. I welcome your questions. I have additional slides.

**Wheeler:** Any questions at this juncture, colleagues? If not, does that complete your staff report?

**Jeffreys:** It does.

**Wheeler:** We hear from the appellant. Do we have any appellant?

**Ryan:** He's muted. Steve, you have to unmute.

**Steve Pinger:** Sorry. My name is Steve. I'm representing the northwest district association. I would like to share my screen. I will try to keep this brief. This is a narrow issue. This is a finding regarding one guideline is at issue here regarding the decision on this project. So what this appeal is about is one thing. The guidelines that grace referred to and I would reiterate, new buildings and additions that are taller than the two and four-story building height but it is predominant in the district should have upper story step back in order to contribute to a more consistent streetscape and maintain neighborhood scale. This is a fundamental guideline for the northwest district. The question is whether this guideline is met. What it is not about is affordable housing, nor is it about step downs at rear or west side of the building that are required by the base zone. Nor is it about allowable height and bonuses in the allowable height relative to the bonus it is taking. Nor is it about design quality. I think the district association feels this is -- this is respectfully a well-designed building. Staff opinions design commission preferences or is it -- it is about a six-inch step back. And I'll return to that. I think that's the gist of if question about the finding and the meaning of this guideline. The staff report's finding which we feel is in error is the baseness of the decision and staff report finding this this was met. They went along with the erroneous finding and approved the proposal through a fundamental guideline that was clearly unmet. The staff report finding regarding guideline p1 states that a significant portion, almost a third of the south elevations were in fact four stories tall, which is terrific, except it is also irrelevant. The guideline refers in particular to the street facing elevation which is the east elevation. Additionally staff report finding indicates that the building has a cornice this meets the

guideline for the setback at the upper floor. What the base zoning allows and this is looking at the project if it were four stories. Is something like this which would be 45-foot maximum height. For this project they're taking advantage of the height bonus for affordable housing so the project is now 55 feet, maximum height and then complies with the allowable height for the side with the bonus. This site additionally slopes ten feet from the north to the south face making the northern facades essentially 65 feet in nominal height which amplifies the basis for this guide line which is to have the apparent height and mass of the building mitigated to the street and to the sidewalk and street. Additionally, this is indicating the cornices and six-foot step back as being the equivalent in terms of meeting the guideline of the -- of the step back that is -- that -- that is stated in the guideline. If the step back were provided and the guideline met the building would appear more like this. With the upper floors' setback not only on the west side but on the east south and north sides as well. Which would achieve the fundamental purpose of the guideline which is to keep the scale of the building consistent with the street scale. The provision I don't believe is remotely the same as what the guideline asks for. What this appeal is about, is what the guideline actually says and whether the proposed building conforms with the guideline and whether the finding of the staff report accurately reflects what the guideline says and if it is met. What basis the commission has to improve the proposal with the clearly unmet guideline even if for an otherwise good building. I think the commissioner was correct in saying this is a well-designed building, we agree with that. It is a good building, but we are also concerned when a not so good building shows up and asks for the same shaded precedent that that guideline doesn't need to be followed. More broadly, this appeal is about respecting the thousands of citizen hours that were involved in developing the NW business plans and its guidelines and whether that plan and its guidelines have standing and meaning. At the end of the day, it requests a couple of things. That council directs BDS staff to follow guidelines directly. Our observational fears are that the interpretations of guidelines have gone beyond being flexible. Have gotten adventurously creative. Direct the design commission to not approve proposals for any guidelines not met. And Finally to direct both entities to support and enforce the NW District Plan and the other community plans in our City. Thank you.

**Wheeler:** Thank you Steve. Colleagues any question at this juncture? Seeing none, we will

now ask for supporters of the appeal. That means if you liked what you heard, this is your time to chime in. Keelan, do we have any signed up as supporters of the appeal?

**Clerk:** We have one person signed up, John Czarnecki.

**Wheeler:** Alright, John if you could state your name for the record and three minutes please.

**John Czarnecki:** Thank you very much, Mayor and Council, I'm John Czarnecki, I'm a NW District resident and member of the Planning Committee, however I'm testifying on my own behalf as a neighborhood resident. I completely support the appeal, in addition to the points previously stated, I'm considerably cautious about whether or not the sky designs have standing and meaning in the long-term. The guidelines are there to make the city more livable. If they are not paying attention to, why have them frankly? That's all, thank you very much.

**Wheeler:** Thank you. And does that complete the supporters?

**Clerk:** It does.

**Wheeler:** Then we will now hear from the principle opponent, 15 minutes.

**Christe White:** Good afternoon, I'm Christe White Land Use counsel for the applicant, principle opponent of the appeal with me today is the applicant, Seth, C. John, and the architect. I'm going to introduce the applicant's response to the appeal and then hand it over to the design experts to walk you around the building, although I believe Grace Jefferies presentation was very comprehensive on all of these points, so we will try to keep it brief. Staff recommended approval to the design commission and in turn the design commission unanimously approved the project. The property is zoned em2 and within the next comp designation they are a 5.1 far bonus for inclusionary housing. The applicant earned that bonus and the corollary height to build knows units. This project as you heard implemented and utilizes both of those and comes to the 3.81f.a.r. Under the maximum. It was subject to the community guidelines and that's other issues here. Only one of those guide lines, 1.1. I will say on the appellant's list they testified that the appeal is not about the design commission's opinion or staff's opinion on the guidelines. That's all the appeal is about. The design commission and the staff are put in charge of interpreting those guide lines as they apply to a project and determining whether or not the ways to meet the guide line have been satisfied which they found. That guideline addresses urban character and encouraging new

buildings that are taller than four stories to use step backs for a purpose. And the guideline says to contribute to a more consistent streetscape and to maintain neighborhood scale. It talks about street frontage and that should be divided in distinct components and that's partial block matching. The literal reading is for the commission to review the upper stories in the proposal of the context of the existing building to the front, side, and back of the project as well as the entirety of the neighborhood and determine whether the response to the streetscape a neighborhood. They found it is just that in its unanimous findings. They particularly addressed this guideline because it was raised as an issue below. They found that the building is broken in three blocks. The ground floor is delineated to accommodate tenant sizes and the corners and four small in between. And they it specifically recognize that one of the -- one -- some of the facade is taller than most buildings in the area and it is in the allowable height limit. They found that all design elements have been incorporated to address the responsiveness to streetscape. This is the stepdown height at the west. This is across from Simms hospital and the distinct breaking up of the components of that, together with the retail and the upper floor was found to be directly consistent with the design guidelines. These were directly responsive to the same issue raised below. So I want to now turn it over to Richard to walk you around the approved building and then of course available for any questions. Richard?

**Richard Dobrot:** Try to share my screen here. Okay. Can you hear me?

**Wheeler:** Yeah.

**Dobrot:** Great. Good afternoon. The architect of this project.t this appeal focuses on one part of the guideline regarding step back of urban floors. New buildings should have up upper story step back. This says should, not must. It does not specify to what depth the step back should occur. Furthermore the guidelines state, development throughout the NW district should maintaining the architectural scale and notion of maintaining the district's scale speaks to the districts current and ever evolving built environment. It's important to look at the context both nearby and throughout the district. And this is what we see. The immediate surroundings consist of single-family houses, apartments, 1-4 story commercial buildings and the large hospital complex. The hospital by virtue of its size and height dominates the local context, which is unlike any other location along NW 23<sup>rd</sup>. While only 6 floor tall, it's closer to 8

stories based on the height of each floor. This is the view from Marshall street across from 23rd avenue. Looking at street wide, we see newer developments with no setbacks. One such example at northwest Lovejoy at the bottom right is a couple of blocks from our project site along the streetcar line. The older buildings that define the character are similar. Our northwest 23, not too far from the site, we see five floors request no setback. Northwest 21st, we see six floors with no setback. Another at 5 1/2 floors with no setback. What these buildings have is a cornice. It is a feature seen here and here and here. It is our opinion that the details are relevant to architectural scale. They're in appeal item b. Looking at the proposed building, it has architectural scale with no cornice with four story height on the south building. And projecting a cornice step back. The north street frontage shows portions of the facade set back two feet from the outer face of the building and building height and proportion, diminishing as it approaches the zone to the west. Step down in height regardless of whether it is required by other code sections does in fact address the guide line content about streetscape and consistency and neighborhood scale in contrast to the appeal item a. The west side while not street facade has a ten-foot building setback nonrequired 15-foot setback to the majority of the facade to provide greater separation to the adjacent houses. At the southwest, we see a similar stepping down response to the neighborhood scale where the cornice and the four-story data becomes the roof edge. We believe the building incorporates features that reflect the characteristics and conditions of the district and maintains the district's scale and the pattern of development and therefore meets the guide lines. This was recommended for approval and unanimously approved by the design commission. It demonstrates quality and resilience through its design features. Thank you for your time and consideration.

**Wheeler:** Thank you. Colleagues any questions of Richard? Seeing none at this particular time, we'll hear now from people who agree generally with what Richard just said, opponents of the appeal. Keelan to we have anyone signed up?

**Clerk:** Yes. One person. Iain MacKenzie.

**Wheeler:** Three minutes. Name for the record please.

Iain MacKenzie: I'm Iain. I'm here to oppose the appeal. It felt good to be back at the cinema, we went to grab bikes. While I was unlock my bike I looked over to the building across the

street which you can see behind me in the background and thought how strange it is that the city council will spend their Wednesday afternoon discussing whether to have a fifth floor setback from the street. The building I was looking at was a 5 1/2 story building built in 1981 and a day listed on the national register. Its fifth floor doesn't set back. Neither does that of the five-story hotel built in 1912 and listed on the national register. [indiscernible] neither does the dude -- Tudor arms. If you take a walk through what used to be the Conway parking lots, you'll see buildings that don't set their upper stories back because there's zero precedent. There's the Franklin 12th and Lovejoy. Appellants are asking for a new standard to start buildings in the neighborhood or other new buildings that have gone through the design review system. This sets a precedent. On the contrary a well-established precedent. I encourage you to reject this appeal. Thank you very much.

**Wheeler:** Very good. At this point we will offer the opportunity for a rebuttal by the appellant should they so choose.

**Pinger:** I do. I'm keep this brief. I'll remind the council. This appeal is on the basis of the finding for one guideline. For one buildings. Appreciate the citation of other design aspects and the historic precedents in the neighborhood that also don't comply to the guideline. Again those things are essentially irrelevant to the consideration of this appeal. This appeal is about whether this building meets this guideline. For reference, the buildings in the master plan area are not -- are superseded by the Conway plan. It is not specified. The intent of the step back is specified, reduced visual impact of the building on the street envelope. Certainly pretty clear, they suggest six inches is not going to do that. Further, I would like to -- to finally just respond to the comment that -- that the staff and commission's opinions are what this is all about. I hope not. I hope the staff and the commission are both, understand their relationship to enforcing the guidelines. Obviously standards are less flexible than guidelines and guide lines have flexibility but not an infinite amount of flexibility. We're not really talking about staff opinions at least hopefully we are. Nor talking about design commission preferences. We're talking about does this building meet this guideline. Thank you.

**Wheeler:** Thank you. Colleagues that gets us to the end of the structure as previously identified by legal counsel. At this point we can have a discussion or somebody can make a motion. Commissioner Hardesty.

**Hardesty:** I move that we vote to uphold the design commission's recommendation.

**King:** Sorry to interrupt. Before we deliberate, you need to close the record if you're going to go ahead and make a tentative vote.

**Wheeler:** All right. Then at this point the evidentiary record in this hearing is now closed. That means the council would accept no more oral or written testimony on this land use appeal. Lauren to be clear, Hardesty made a motion. It is still a tentative vote.

**King:** That's right and we come back with findings to reflect today's hearing.

**Wheeler:** Commissioner Hardesty made a motion. Do we have a second? I will second it. With that, further discussion? I'll put my two cents in here now, rather than wait until I take my vote. Steve, I empathize your position in terms of what I think would make this -- first of all, I'll say I think the building as proposed is a significant improvement over what is currently there. I know that has been a -- a block that has struggled for some time. While I agree my personal preference is a more significant setback from the top stories, my personal finding or belief based on what has been presented today is that it is not a remember. And I to believe the architects have made a good faith effort here to reflect not only context but also the substance of the requirements around design review. I believe they meet that threshold. Therefore I will be opposing the appeal. I don't know if anybody else has any other comment at this particular time. Commissioner Hardesty.

**Hardesty:** Thank you, mayor, I just also just want to say, just based on the viewing of the record and the due diligence of the design review process, I am very comfortable in voting to uphold their decision and to deny the appeal today. I just feel like a lot of due diligence has gone into this and -- I'm actually impressed there's not more opposition, right, traditionally, if the design commission is off kilter, we would have more opposition here today tell us why this is the worst thing that could happen in the northwest. I'm a big admirer of the work of the northwest downtown association, I -- I trust the work that has been put into this and ready to move forward.

**Wheeler:** Thank you. Seeing no other comments or questions, I would ask Keelan to call the roll. This is a tentative vote.

**King:** Then we will need to set a date to return for the findings. Go ahead.

**Clerk:** [roll called].

**Wheeler:** Motion carries, that's a tentative vote of the city council. We get a date and time certain please for the final vote.

**King:** Keelan before you to it, sorry to do this on camera, Christe is the attorney representing the prevailing party because under the code she'll prepare the revised findings and coordinate with our office. Christe what is your timeline?

**Christe White:** Thank you for asking. We could work with the first possible hearing date that you have back that works for staff.

**King:** Then Grace, your timeline as well? Do you have any vacations? Okay. So Keelan, what is the next date you could bring this back?

**Clerk:** Looking like next week or a little more time than that?

**White:** We don't need it. Sorry. Go ahead.

**King:** -- we just need a date and time certain. We could do next week if Christe can give us revised findings by Friday, if that works for you, great, we could file them with the Tuesday memo.

**Clerk:** In that case we have a 10: 15 on Wednesday the 21st.

**King:** Grace and christie that works for everyone. I want to confirm. Thank you everyone for normally we coordinate this off camera, I apologize.

**White:** No problem.

**King:** We're in the room. So yeah, Wednesday 21st at 10: 15 a.m. Time certain for a final decision.

**Wheeler:** All right. Very good. Anything else we need to do then?

**King:** No.

**Wheeler:** All right. That completes our business for this afternoon session. Thank you everyone. We're adjourned.

**At 2:48 p.m., Council recessed.**

## 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.

July 15, 2021 2:00 p.m.

**Wheeler:** This is the Thursday afternoon, July 15 session of the Portland City Council. Keelan, please call the roll. [roll called]. Under Portland city code and state law, the city is holding this meeting electronically. All members of the Council are attending remotely by video 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, [www.PortlandOregon.gov/video](http://www.PortlandOregon.gov/video) channel 30 as well. The public can also provide written testimony to the council at [cctestimony@PortlandOregon.gov](mailto: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. The pandemic is an emergency that threatens the public health and safety and welfare and requires us to meet remotely by electronic communications. Thank you for your patience and understanding while we manage through these challenging conditions to conduct the city's business. With that we'll hear from legal counsel on rules of order and decorum.

**Matt Farley:** You may sign up in advance with the council clerk's office for communications to briefly speak about any subject. You may sign up for public testimony on resolutions or the first readings of ordinances. The published council 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 matter being considered at the time. When testifying please state your name for the record. Your address is not necessary. Please disclose if you are a lobbyist. If you are representing an organization please identify. The presiding officer determines the length of testimony. Individuals have two to three minute to testify unless otherwise stated. We will ask you to conclude. Disruptive conduct such as shouting or

interrupting other testimony will not be allowed. If there are disruptions, a warning will be given and may result in the person being placed on hold or ejected from the remainder of the meeting. Please be aware that all council meetings are recorded.

**Wheeler:** Thank you very much. We have one item this afternoon. Item 568. Can you please read it.

**Clerk:** Accept the 2021 south park blocks master plan as a guide for future use and development of the park.

**Wheeler:** Before I pass this over to Commissioner Rubio, just a couple of housekeeping items. This is an important issue. There are a lot of people signed up to testify today. We'll be accepting testimony at two minutes per person. If you need to take time to edit your talking points, this would be a good time to do it, we want to make sure everybody has a chance to testify today. This is a resolution. Normally the commission would vote after hearing testimony. Given the large number of people signed up to testify, it's possible that the council will not deliberate or take the vote today but we will wait until the end of this session and make that decision as a full council. With that I'll turn it over to commissioner rubio.

**Rubio:** Good afternoon. The south park blocks have long served Portlanders for many generations providing spaces for gathering and play at the heart of downtown's university and cultural district. They are also places for friendship and gathering. The park blocks do many things for many Portlanders. The master planning process provided an opportunity to learn about the park's diverse history and features and also hear about new challenges and opportunities. I know some people have concerns and are not happy with all parts of this plan. Others are excited for it. We have all groups very eager to participate in this plan. If you are eager and interested, I want you to know that we hear you. This is a plan; a conceptual design phase and we welcome your continued engagement. It's a broad conceptual document. Any specific plans would still need to go through council ultimately. Parks has robust engagement with people both in support and opposition of the plan and taken in ideas and feedback and done their best to be responsive and inclusive of this feedback. That's why I'm excited to bring the south park blocks master plan for your consideration. As they've developed it Tate White and community engagement lead Barbara Heart have engaged a wide variety of stake holders. Including but not limited to the Regional Arts and Culture

Council, Oregon Historical Society, Portland 5, Portland Center for the Arts, and various PSU constituencies, Portland Farmer's Market, Urban Forestry Division, Bureau of Transportation, Planning & Sustainability, Environment Services, Development Services, TriMet, Portland Business Alliance, and numerous other community organizations. A community advisory committee was also formed from people of different walks of life. I want to thank everyone for their contributions from that committee. The project team also conducted surveys and meetings by digital means and where appropriate in person. This process took more than two years and I believe is a comprehensive vision in many ways Portlanders enjoy the south park blocks. It reflects many different cultures and experiences and seeks to keep that feeling through the landscape. Portlanders also asked for better representation of diverse culture histories and identities in art and other south park block features. Rehabilitation of spaces to be more accessible of people of all ages and abilities. They ask asked for more spaces for people to gather and hold events, while preserving private contemplation. The master plan manages to balance all of these elements. It does this without proactively removing any trees. I know there has been confusion about this, so I want to be clear, passing the master plan does not mean trees to be cut down. Rather the plan calls out a forward looking strategy to replacing trees when they naturally reach the end of their live spans. The vision preserves the canopy of elm trees and diversity for animal habitat. It balances goals for growing resiliency of the urban forest while maintaining the historic form of the trees and canopy. The plan has benefited from the advice of many professional arborist as well as the active participation of Portland's urban forester, Jen. I've heard concerns that adopting this master plan would undercut our hard work to develop the park system. I'm so grateful so many share our commitment to equity and inclusion as well as my personal commitment to fill gaps in cities such as east Portland. I want to assure you that nothing in this plan will take away from this work. The question not an either or. We can both plan for our south park blocks and grow other parts of town. For anyone concerned that the master plan comes at the expensive of improving parks facilities in East Portland, I sincerely invite you to reach out to my office to build a more equitable parks system. I would like to give my appreciation to Tate White and her team to making a popular shared public space a more inclusive and equitable one. I want to take a moment to anticipate and acknowledge the challenges of updating an iconic public

space as beloved as the south park blocks. I understand that people have a deep connection to the space that currently exists. I too have a strong emotional connection to the wonderful space. I want to say that I love Portlanders love their parks. I hope we can partner together in caring for our natural spaces especially with the continued threat of climate change. I will now turn it over to Tate White.

**Tate White:** Thank you very much commissioner rubio. I'm just going to share my screen. Can everyone hear me okay and see my screen?

**Wheeler:** Yeah. You sound good. And the screen looks good.

**White:** Thank you very much. Good afternoon mayor and council, everyone else who is joining us today, welcome. My name is Tate White. I'm a senior planning with parks and recreation. I've been the project manager for the bureau for the south park blocks master planning process for the past two and a half years. I'm representing many who have worked on this project like Barbara Heart who has been representing community engagement. We worked with a strong consultant team led by culture landscape experts MIG with sub consultants landscape architecture firm Mayer Reid, master arborist Morgan Holman and associates, tool design and engagement firm Louis Cohen and Associates. Thank you all for your time and attention as I present an overview of the recommended draft of the southwest parks block master plan. The south park blocks are part of a larger park block spine and cultural centers and providing for a range of passive and active recreational activities. This master plan focuses on the 12 contiguous blocks that are part of the university and culture districts between SW Jackson and Salmon streets. The map on the left shows a yellow dotted line representative of the conceptual alignment through the green loop that was adopted with the central city 2035 plan and considered through this planning process. The next two slides show the 7 project goals we began with. For all park master plans we aim to have a community supported park design that provides opportunities for all ages and abilities. Portland and the land it encompasses has a complex and nuanced history that we set out to understand and respect through this planning process. The original park trees are aging and gradually reaching the end their life spans. We need to plan for them as well as the next generation of trees and park users. Other project goals are around prioritizing safety for all users as we consider how the green loop will be integrated near the park and accounting for

adjacent uses and development trends. This park has many interrelated challenges when it comes to trees and program maintenance. The resources and strengths of the many park stewards are key. The park blocks are connected to early development and acknowledges the many contributions indigenous groups have made to this land through time and memorial. As well as continued indigenous presence on this landscape and in this park with key connections to Portland state university and the Native American student and community center. The map on the top left shows tribal lands in what would become the Oregon territory. The top right photo was taken in 1878 after vegetation had been cleared and the park had been planted. Highlighted on the bottom diagram is a more contemporary district in the 70's and cultural district in the 80's. There has not been a direction for all 12 blocks. As the last slide depicted, this land and park has seen a lot of change over time. The consulting team documents the change in the park in the existing condition issues and opportunities report that they did early in the planning process. A diagram from that report is shown on the slide and it depicts the high level of change in the park pathways since the early 20<sup>th</sup> century. The consultant team used their cultural expertise to identify these five defining character features essential to what has remained in some form in the existence and development of the park. The design team worked to protect and emphasize these features with other project goals and in accordance with the rehabilitation for cultural landscapes. Community, staff, and engagement has been essential to this process. The Community Advisory Committee was formed at the outset in April 2019 to represent a diversity of perspectives to best represent the downtown community. A summary of the community advisory committee partners affiliations and groups represented on a technical advisory committee is on the slide. We started engagement with walking tours envisioning for the future of the park. Including a party in the park to gather community input. We had a concept development workshop to guide the consultant's work. The refined concepts were reviewed on multiple occasions in the fall and winter 2019 and 2020. That input was used to develop a draft preferred design. At both concept review and draft preferred design phases we have done targeted focus groups and meetings with youth at St. Mary's and PSU students representing diverse lived experiences, and representatives from the Native American Community Advisory Council, the Parks Accessible Committee, and other stakeholders. We did voluntary public briefings with

the Urban Forestry, Design, and historic landmarks commissions to get guidance. Community input and technical feedback throughout the process and most recently on the draft design has guided development of the southwest parks master plan. It's challenging to briefly summarize what we heard over 27 months, but each touch point with the community has informed the conceptual design and planned development through an iterative process. We heard that the community wants to see more native plantings and habitat representing more diversity cultural histories and identities. As well as cultural performances and community event space. People value spaces for rest and quiet. The plan strengthens the ability to serve these various desires. Safety and accessibility were overwhelmingly highlighted for areas of improvement. We heard contrasting opinions about the green loop and trees and historic considerations. The plan has responded with a balanced approach that ultimately gained strong support from most of the community advisory members with one opposition. Here is the recommended draft for the university district. Please keep in mind all designs are conceptual and will be worked out when there is funding for implementation. We'll talk about blocks one, two, and four. For block one we are recommending a play area and community center through safe connections and native planting areas that will be used similarly to the native gardens that are on the roof of the center today. We are emphasizing future partnership with the indigenous native studies program for native species selection and planting design using traditional indigenous ecological knowledge. We also partnered with the student community center. Here you can see a section taken diagonally through the block to envision what this could look like. Here are the recommended elements. Block two we're proposing a new plaza for the Saturday farmer's market and annual salmon bakes put on by the united indigenous students. Adding this new plaza will help minimize damage in this already highly programmed area. With the green loop program for college street, we expect users are going to naturally want to take the diagonal pathway. This is the one location the green loop is proposed to go through the park once the plaza is built. We want to design it happening safely rather than pretend it will not happen despite this being a desire line. This section shows the concept of the plaza function complimenting the biking pavilion. This concept continues to be tested and revised through ongoing testing and design. For block four, we're recommending renovating the existing smith amphitheater plaza to it make it

more accessible and better support the many events that already happen in this location. This section shows what this could look like and note the green loop path to be a shared use path located west of the park. Throughout the university district pathways are recommended to be rehabilitated over time to be more accessible and a few small one added at desired lines, like near the street car where we have a mulched path as a temporary solution. Additional native planting space is added to block 5. And locations for rotating art exhibits on block 6. Now we'll talk about the cultural district. You can see that the green loop path is proposed alongside the park where the current sidewalk and street parking are located. I'm going to talk about blocks eight, ten, and eleven in additional detail. Block 8 has more features than 7 and 9, including an interactive art feature and social seating. Here you see a section of what that block could look like. As a reminder there will be more engagement and detailed design to determine exactly what park enhancements will be. At blocks ten and eleven, the portion of Madison street is recommended to be closed to regular vehicle traffic to become part of the park expanding and connecting these blocks to create more flexible usable space. The north south raised beds are relocated to frame this space and provide a clear visual to vehicles that this is no longer a part of the street. There are modified benches promoting more social interaction to frame the new plaza and the current plazas in the middle of the existing park blocks that previously held the Roosevelt and Lincoln statues. Future processes centered around black and indigenous voices will identify potential replacement and new public art representing more diverse cultural identities and histories. Here are example images of what these new features could look like. We have looked at the blocks in the cultural district with the most additional features recommended. Central planters are relocated and central trees not replanted over time to accommodate increased space to enhance growing conditions for current and replace trees between pathways. A future wider central promenade would provide maintenance access and paving in conflict with tree roots, more safety for all. Any planters that may be removed from the center would be replaced by planting components added to the park or to the street through the plaza or the street through green loop. The tree succession strategy provides a long term guide for replacing trees after they naturally reach the end of their life spans. It does not propose proactive removal. Looking back on the last 10 years on average one tree a year is needed to be

removed from the south park blocks because of disease, death, or the effect of storms. Based on this experience we expect to lose 20 of the approximately 330 trees to these natural causes over the next 20 years. Making change very gradual. It will guide how we replace these trees over the next hundreds of years. If the complete vision is achieved there may be 20 percent less trees in the southwest blocks. But the tree canopy will remain and the trees will be healthier and more resilient for future generations. More detailed design and construction practices will work towards preventing tree removal and optimizing new planting locations. The top plan image represents what was done early in the planning process. The bottom image is the long term vision to guide replanting of the next generation of planting trees in the next 100 years. The long term vision in the university district prioritizes locations towards the center for larger species and provides more opportunities for diverse species along the edges. Including evergreen trees and to provide more native species and trees that can better process storm water during winter months that will become more rainy with climate change. I want to note the importance of honoring indigenous tradition and values with reincorporating native species. There is more opportunity to do this in the university district where trees have changed quite significantly. In the cultural district we have a rather tight grid. Consulting arborists founds that newly planted trees are struggling to establish under the large canopy of other trees. If we were to plant this landscape today with elm and elm-like trees, we would not plant this close together or this close to paved paths. We also cannot replicate the mature canopy we have with these trees in these planting locations unless we move them and replant them all at once. That's not what we are proposing. Instead we are giving more mature trees the time to reach the end of their lifespans and being strategic about where we replant trees. The long-term vision achieves a healthy and resilient tree canopy for our children and grandchildren. If we don't do this and continue to replant trees in their same location, their health and the canopy will suffer. The park master plan provides how the green loop portion by the south park blocks will be built, but the park plan is not determining the green loop design. There will be future processes for that. The green loop concept shown for the master plan and the cultural district retains one line of traffic on park avenue west. The five foot wide pedestrian sidewalks serving parked cars is expanded through the parking space to become a 12-foot wider path. A 6-foot buffer

separated this path from vehicles extends the park-like character into the street. You can see the dimensions overlaid on the park avenue west. You can see a rendering of this concept. Trees will not be removed or damaged for the green loop. Pbot and other contractors build and repair sidewalks next to mature trees regularly and make sure trees and their roots are protected. The report describes it as a path where people can take a break from work, walk, ride among trees and beautiful parks. It will encourage slower speeds, and though not every pedestrian is comfortable mixing with other modes, separate walkways are provided wherever possible. Protected bike lanes are provided on SW Broadway and 4<sup>th</sup> avenue for faster moving cyclists. A connected cultural district concept for the green loop emerged from this planning process. This concept eliminates regular car traffic and parking to truly expand and connect cultural institutions to the park. This idea is presented in appendix b in the plan for city council to tell staff whether you want to explore this further. Here are some renderings that show the added space and design flexibility this provides to bring the green loop path further away from the park edge and give more space in the street for multiple modes, trees, and landscaping. Funding for small park improvement is available for block eight through the public benefit contribution that paid for this park master plan. Most will go on the capital improvement project list and move forward with detailed design when funding becomes available and system wide priorities support systems moving forward. Until that time more engagement will take place. Timing is unknown very likely to be phased and partnerships will be vital to accomplish it over time. High level costs are provided in the plan. Acceptance of the master plan does not initiate commitment of these funds. Fought you're potential capital improvement projects will go back to city council for such approvals. To conclude I'm showing the major improvements that will be carried forward into implementation. They include balancing needs and historic features opportunities for healing through the landscape. Each block meets and exceeds acceptability standards and codes. Natural surveillance and passive activation. Creating opportunities for interaction and learning among different groups. Representing more diversity cultural histories an identities and landscaping and other park features. Prioritizing pedestrian and bicycle safety through facilities and providing elements to unify all 12 blocks while supporting the history's function and needs. Thank you for your time an attention. This concludes my portion of the

presentation but we have valued guests with us today that I'll be introducing. A key piece of the planning process has been the guidance expertise and experience of the community advisory committee members. We want to give mayor and council an opportunity to hear from some of them directly. Joining us today we have Judy with PSU indigenous studies program and the native American advisory council. Maya at St. Mary's Academy will also speak, followed by Randy Greg, and then Amber Holland who is Operations Manager of the Portland Farmer's Market. So Judy, if you are ready, I'll hand it off to you first.

**Judy Bluehorse Skelton:** Thanks, Tate. Hello, thank you for your time. I want to appreciate all of the work that Portland Parks staff and Tate have done over these really challenging year to continue to meet with community meeting with the native American community advisory council and others in the indigenous community as well as other community members to have these really difficult conversations because when we talk about parks, we may not think it's a difficult conversation, but when we talk about land and how this park block came to be, we can't look at these pictures without thinking, where are the people of color? Where are the women? This park was created when nearly half of the nation's population was not participating, was not at the table. And so, I really value the courage of everyone to continue to come to the table to continue to tell our histories, educate, and recognize the trauma of the people and the trauma of the land. It's at the clear cut. I really appreciate the work Parks has taken in this plan and the plan for Cully Park with our native gathering gardens. A landfill, another traumatized piece of land as we heal and restore our communities. So-- this is more than symbolic it's very palpable. I'm personally encouraged by the succession planting. An approach that recognizes that over time change will happen. We want to support the trees and what's there right now. They are our relatives. Many in indigenous communities around the world, the big trees are our elders. They were here before us. As we endeavor to work in those landscapes and in this case the urban forest, we have a big responsibility. This park block is very euro centric. They are linear, when we look around the world these are for the carriages of the queens and kings to bring their people through whether we're looking in Africa or South America. The excitement of diversifying the use of those spaces, the excitement to diversify the plantings. Plantings that provide habitat for all of us as well as our native species is exciting. It's a very different way to create this kind of space. It's inclusive, it

recognizes that the multiple generations that come to these spaces are finding different meanings there, whether it's playing, riding their bikes, hanging out, doing homework, having lunch, or just finding a retreat and reflection. All of the other gifts of our natural world when it's healthy. I look forward to what's to come. The space here has always been part of our outdoor classrooms for indigenous nation's studies department and many other departments on campus. I think this work is synergistic with what PSU was trying to do. Unprecedented to acknowledge our president steven, that perhaps we'll have outdoor classrooms on a large scale adjacent to the park that will be a remnant and recognizing the role of bringing our salmon bakes into the heart of the city as we've done overcoming lots of challenging of concrete or do you have the right permitting for that. We're looking for the relationships that will bring healing and ceremony back to the city. The campus is already a salmon certified and PSU is part of that. There's a lot of wonderful opportunities but I wanted to just share as well, since we all joined this advisory committee there's another big partner at the table. As indigenous people we are often in the room trying to speak for their behalf. Not just the salmon but the big ones informing our climate. Since we began meeting we've had the severe ice particularly damaging for some of the big trees. We've now had our heat dome which in a matter of minutes sunk the tops of plants that didn't have a more protective canopy. Climate change and social change are really coming together at a time and will be critical to our survival. We talk about resilience. I think bipoc, people of color, people around the world. There's a resilience that we call on as needed. We find emotional and mental resilience as needed throughout the pandemic and other extreme events happening with our climate. We can look at our spiritual resilience. Ultimately that's what is going to get us through challenging times. I see the park blocks, even though we're only starting with one, holding that as the promise for our future generations whether we call it sustainability or living for the seventh generation. That's a long time. Living for the seventh generation is at the heart of this. I'm grateful to have been able to participate. This doesn't end today or tomorrow. None of these do. They keep going. I look forward to those conversations to come and the hard work ahead. Thankful to all. Thankful to everyone.

**White:** Thank you so much, Judy. Is -- Savannah Jackson with us today?

**Wheeler:** Before we move on commissioner Hardesty wanted to ask a question.

**Hardesty:** Thank you mayor. I just wanted to ask Judy if I could sign up for your class.

**Bluehorse Skelton:** Anytime. We're right downtown. We'll be outside a lot. Let me know. I would love to you have there.

**Hardesty:** I loved how gracefully and quickly you wove the seven generation history into your presentation. You are right. This is unprecedented and an opportunity to really by policy and practice undo the generational harm that's been created over and over and over again. I was going to be nice and wait until all the testimony was done, I just had had to know, when can I sign up for your class. I can't wait. Thank you so much for bringing your wisdom to this effort and your dedication to continuing on so that we do the best we can possibly do for seven generations from now.

**Bluehorse Skelton:** Thank you.

**White:** Thank you commissioner Hardesty and Judy. I don't know if Savannah is with us today. I'm going to pass it onto maya who is a student with St. Mary's academy.

**Maya Sykes:** Good afternoon, my name is Maya Sykes. I was part of the community advisory committee for the renovation of the south park blocks. I served as a youth representative of a school located at the center of downtown. We gathered needed perspective an inform the decision making process. Throughout the process I saw the extent they went to in order to curate a renovation that was in the only inclusive but was a space that could be sustainable for decades to come. Three main issues raised. Safety, sustainable, and access. That is emphasized in the plan. The plan isn't merely about aesthetics. It raises more permanent issues that need to be fixed. The trees in the park are aging and need to be replaced. The students utilize the blocks as a quad. A respite in the bustling downtown. In the focus group many students voice their love of the park but there were not enough features that encourage a welcoming space. It gives students a place to relax the renovation of these blocks allow more involvement in the park and greater safe. The students of downtown are a diverse group and that is not reflected in the park. These plans build on including more diversity in the park. The students will greatly benefit from the renovation of these blocks. If we want the park to continue to be a landmark for the city, I urge you to move forward with this plan. Thank you for your time.

**White:** Thanks so much. And Randy Gragg.

**Randy Gragg:** Good afternoon mayor, and commissioners. Thank you for reviewing this great plan. I would like to preface and qualify my testimony, the views I'm expressing today are my own. Coincidentally I want to let you know we are producing a festival on the downtown blocks. I am testifying today as a member of the community advisory committee. The first time I ever served on one. I certainly written about them over the years. Someone who participated in the landmark preservation for many decades. I wrote for a number of national journals. At Harvard I studied landscape history and preservation. I initiated and cowrote the nomination for the Portland open space sequence. The otherwise known as the fountain district that's now one of only two Portland parks on the national register. As the director of the university of Oregon landscape studies I oversaw the competition for green loop and the winning team connects central city neighborhoods and changes and morphs through each neighborhood it travels through is really taking shape today and the south park plan begins to further evolve that. I'm here to whole heartedly support this master plan. The process is widely inclusive and fair and reach deep into our many communities and it's a blue print of our public and private investments to bring to life over the coming decades. Bring a calm and inviting character to this section. Perhaps most importantly this plan as others have said beginning to undue a lot of generational trauma and harm. It will also serve the trees both those that exist today and the canopy that will take shape in the following decades. Given the quality it's a wonder to understand the disconnect. Cultural preservation is not a highly evolved practice in Portland. Of the community members who work diligently to write the draft nomination to the national register the most experienced among them are all architectural experts not landscape. That's a key distinction. Buildings can be preserved and restored. Landscapes can only evolve. Like Greek and roman columns trees fall over. Unlike those columns they can't be put back together. They compete for water and root space. The most ruthless plant killers are landscapers because they have to decide what plants live and die. We're going to see many trees that we love are not equipped for the new normal. They have to anticipate the future. I would like to share with you two teachable moments from my experience with the Portland open sequence. The designer of the sequence planted a lot of small trees to make up for the fact we didn't have any big ones. He imagined they would be thinned as they got larger. That never happened. This became a particularly difficult problem

with little burms there. Roots were competing for space. It was a creating a dark and dreary place that people didn't feel safe in and didn't often visit. Along with the help and experts to analyze the trees health and success plan. We cut 17 trees down. There's more light. The park is populated now, at least before covid in ways we hadn't seen in years. In time, young trees will be planted and will have the light to grow and succeed the larger ones as they die. The pathways that connect the parks are also overgrown with trees. We nominated to the national register, unfortunately we did it without a tree succession plan. We worked with an extremely historic company but mostly with buildings. Now the city is obligated to change the spacing. One of the things they have asked for is that the nomination come first. We made that mistake previously and shouldn't make it again. Considerable expertise has informed the south parks master plan. It was designed by one of the country's leading landscape preservation practitioners. She has worked widely. Her mentor former dean of the college of design whose testimony is supporting the master plan you have received is a world renowned pioneer of the fields. You're going to hear a lot of emotions today. We hope you will base your decision today not on emotions but on wisdom. Thank you so much.

**White:** Thank you Randy. We have one more speaker from the former's market.

**Amber Holland:** I'm really excited to be here today. The south park blocks is deeply rooted in the prosperity of small businesses and a food system. Portland state university farmer's market has existed there for 26 years. The operation of our markets relies on outdoor spaces that are accessible and functional and feel safe and welcoming for all. As an organization that operates in this outdoor space every week, we are very familiar with this space and the challenges the users face. Accessibility challenges and physical safety issues throughout the blocks. I joined the community advisory committee in 2018 in hopes of having a voice to preserve the urban forest and share a perspective on an element of the park blocks that are in need of repairs and improvements. It increases bio diversity and preserving the quiet space and urban tree canopy that visitors value so much. I can't tell you how many times people visit our market and can't believe the amazing luck of having such a beautiful space to operate in. The planning and implementation of the concepts presented in the plan will require continued community operation and engagement in order to reflect the unique

needs by park users. Create space that is beautiful and can be efficiently maintained. We're honored to be a part of the process.

**White:** Thank you. I want to thank all of the 21 community advisory members for their generosity with their time and expertise over the last seven months. That concludes our presentation.

**Wheeler:** Any questions at this particular juncture. Does that complete the complete staff report? You completed your invited testimony, what's next is either questions from the council or public testimony.

**White:** I do believe there's some invited testimony.

**Wheeler:** Why don't we do that. Commissioner Rubio why don't you turn it back to me when are you finished with invited testimony.

**Rubio:** I'll add maybe at the end of our invited testimony we have Barbara Heart, Jen and Nick from pbot, and Brandon from BPS. They are all available to answer any questions regarding any of the questions moving forward.

**Wheeler:** Great. Thanks commissioner.

**White:** Great. For invited testimony I believe we have commissioner from the Portland historic landmarks commission here. I think you are muted, commissioner.

**Ernestina Fuenmayor:** I am. I'm here representing the Portland history landmarks commission. We generally support the master plan. Parks include all voices in the development of this plan to ensure this park continues to be a place for all people. As you know our community is moving to stay review process. That was not a city lead effort that doesn't involve stakeholder involvement. The commissioner did not recommend approval for the first draft because it did not include the full contextual history. We feel the historic nomination should always come before a master plan. The nomination is the document that should describe the significant aspect of any historic place. We understand the master plan came first to get approval from the design commission. If the master plan is to gain approval, we do seek some added language in the historic listing for the south park blocks to refer to the historic nomination. We ask the city to provide resources to the nomination team to ensure that the nomination is befitting of the site to all Portlanders. Nominations should provide context of the critical features of use. We support also in the master plan with most of

the elms being many decades more and many or replaced by elms and similar species. The plan has no plans to plant, replant, or remove. Trees under city code are not regulated by historic nominations, so the master plan is the means by which to establish this. The master plan should manage change over time, logistics, considerations of those elements that should be identified in a public space supported nomination. Thank you for helping protect our heritage.

**White:** Thank you so much Commissioner. We also have Kevin from Portland State University. Kevin are you with us?

**Kevin Neely:** I am, I am pulling up my testimony. I really appreciate the opportunity. For the record my name is Kevin Neely, I am the Vice President for University Relations and the University of Portland. Thank you for providing this opportunity to offer psu's support for the acceptance of the southwest park master plan. I thought it was important to begin my testimony today with our land acknowledgement. Portland state university is located in the heart of downtown Portland, Oregon. We honor the indigenous people whose traditional home lands we reside on. In remembering these communities we honor their lives and their descendants. The vibrancy of the park is vital to our academic excellence. PSU has been a neighbor and steward of the park since 1953. There really have been countless memories created large and small in this space, graduation ceremonies, concerts, festivals. We were able to collaborate on a vision that will meet the changing needs of our diverse downtown community. I offer the university's profound to Portland's parks and rec and the many folks who have put their time and energy into this work. Plan makes a difference for the students, faculty, and staff and many visitors for Portland university. As PSU continues to grow and change it's important that our public spaces support our diversity. Recommendations for meeting ada standards. This plan aligns with our commitment for equitable and sustainable transportation. Much of our population requires longer commutes. It's vital to provide transportation downtown. The higher speed bike lanes will safely support a variety of transportation modes. As long time stewards of the park, Portland state recognizes the beauty and respite that the downtown blocks of the park provides. The climate and ecological challenges that it will hold. Species and planting strategies that continue to thrive in the coming years. The tree succession strategy provide for a full and healthy tree canopy

and better reflecting the space that was so clearly outlined by Judy earlier today. We are genuinely excited about the opportunity this plan represents. It's a thoughtful detailed approach that contains the compelling character and considering key considerations for equity and future improvement. The PSU community looks forward to further collaborating on the design specifics and implementation of the plan. We deeply appreciate the time and energy that has gone into this and do look forward to continuing our conversations with the commission, parks division and with our neighbors of the downtown community. Thank you so much for the opportunity to be here today.

**White:** Thank you, Kevin. I believe that concludes invited testimony.

**Wheeler:** Thank you. I'll ask if there's any questions from the council. Commissioner Hardesty.

**Hardesty:** I just wanted to say very well done. I met with lots people regarding this project. This was very well done. I look forward to hearing public testimony. I just wanted to say thank you before we got too late in the day.

**Wheeler:** Very good. Thank you. I just want to say I appreciate the substantial clarification that was made with regard to the tree plantation. Can I just reiterate something you said and make sure I got it right? With regard to the green loop, it will only directly go through one of the sections, is that correct? Remainder of it is in the existing street and sidewalk right of way? Is that accurate?

**White:** Yes, mayor wheeler. That is accurate. It's block two that goes on an existing diagonal pathway. It's proposed to. However, even the design commission who expressed support of the plan, they even though there could be reconsideration of that.

**Wheeler:** Could you reiterate to me when you say this is a plan. Substantial portions of this would still have to come back to city council. If it's impacting a right of way or city streets. Pieces of this would still come back to city council over presumably a number of years.

**White:** Park master plans are accepted by council resolution. They are not official documents. They are a vision for the future. They guide us moving forward. All the representations will go on our capital improvement list which is very very long. It's prioritized with an equity lens. We would not proceed forward until we had appropriate an available funding. At that time, we would come back to council to get approvals on funding for those things and go through more detailed design and additional engagement.

**Wheeler:** Great. Thank you. Appreciate it. Commissioner Mapps.

**Mapps:** Just to follow-up on that last point. Have any dollars been set aside to actually implement this plan.

**White:** It was actually a design commission condition of approval that asked for this master plan from the Broadway tower land use review. That was part of this public benefit contribution. It paid for the master planning process. There was discussion for an additional \$220,000 to go towards park improvement between south Columbia and clay. That was some funding we have available. That's a small amount of funning. It will pay for a small project. That's it. There's no other city funning at this time.

**Mapps:** I know you gave me a high estimate and low estimate for implementing the whole thing. I think that was in your presentation. You're on mute.

**White:** The low estimate is just over 20 million. The high estimate is about 47 million. Those are planning level estimates. We know it's a lot of costing that's built in there a lot of contingency to pay for many things.

**Mapps:** All right. Thank you very much.

**Wheeler:** Very good. And with that -- Commissioner Hardesty. Go ahead.

**Hardesty:** Thank you, mayor. Tate, there was -- we've heard from some members of the public that we should wait and see if we get a designation as a historic site and I believe part of the testimony we've heard today said that it was better for us to have a master plan prior to getting that designation. I wanted to ask you did I hear that correctly?

**White:** I believe the commissioner from the historic landmarks commission, their preference is generally to have a nomination before a master plan. As a bureau our priority is just to make sure that we're sticking to our primary goals. Serving the community with parks and recreation services. We had this opportunity and so we took advantage of that. However, I'm going to welcome -- I don't know if commissioner would like to speak to that.

**Fuenmayor:** Mainly, yes. We support that first should been a nomination. Focus on the cultural landscape instead of buildings. That's why we support it. We support a nomination that will actually bring up all the main defining features of the cultural landscape that this represents.

**Hardesty:** If it had it now all the cultural components would not be able to be added because you would be stuck with what we have today.

**Fuenmayor:** Yes. That's part of the process. A nomination that will read the landscape as it should be read with all the changes that will happen and won't happen, that's the nomination that should be supported by the city and the commission.

**Hardesty:** Thank you commissioner. That was very helpful.

**Wheeler:** Very good. How many people do we currently have signed up for public testimony?

**Clerk:** We have 50 people currently signed up on the call.

**Wheeler:** All right. You don't need to give your address. Keep to two minutes each.

**Clerk:** The first three are Patricia Ferrell, LaJune Thorson, and Janet Van Wess.

**Patricia Ferrell:** Can you hear me?

**Wheeler:** Loud and clear.

**Ferrell:** Okay. I live downtown near PSU. I frequently visit the south park blocks to enjoy the tree lined oasis. As a former preservation consultant. I'm very concerned about some of the proposals in the southwest park master plan including the removal of the trees. Primary the configuration of the trees in alignment of five frows along the park blocks. They create a long uninterrupted view corridor as the developer intended. This master plan will impact the historic integrity of the park by removing a row of trees to create the larger central promenade. The essential green loop will also effect the western edge of the park. The addition of the ever greens will disrupt the materials of deciduous trees. These changes will alter the characteristics of the park and negatively impact the visitor's experience. The last thing we need to do is add more concrete to this area. Architect stated in his testimony to the Portland Historic Landmarks Commission in 1983, "I'm worried you are taking something that is a perfectly simple statement and filling it with things." The park is a cathedral of trees with simple grass. It's been under pressure of redevelopment in the past and each proposal was revised because they were so unpopular. I believe the same today, which is why I urge you to vote no on this proposal.

**Clerk:** Next LaJune Thorson.

**LaJune Thorson:** Yes, thank you for this opportunity. I've lived in downtown for 12 years; I walk frequently through the south park blocks. I use this to get to other areas of downtown to

get away from the busy city sidewalks and streets. We are so fortunate to have this alternative. The loss of deciduous trees is a concern of mine. Many of the existing deciduous trees are missing in the long term plan. Whether they are actively removed or removed through neglect, they are removed with concrete completely changing the character of the park and the pedestrian experience. I admire the hard work and tenacity that is required of you commissioners. You have many things that require fixing. This park is not one of them. We do not need harder scape downtown. Enough money and time has been spent in developing this master plan. It started with a developer of the Broadway agreeing to donate \$350,000 in lieu of providing housing. The parks department in turn agreed to pursue determination of the park's blocks. Now that lot is for sale. I urge you to reconsider the city's priorities and vote no on this master plan. Parks department should be spending money on maintaining the magnificent elms. I appreciate this opportunity to talk with you. Thank you.

**Clerk:** Janet Van Wess.

**Janet Van Wess:** Good afternoon, thank you for this opportunity. The comments I'm about to read were written prior to today's exhibition. I'm a resident of the fountain district and a daily user of the south park blocks. Much of it appeals to me. Increasing the amount of public art. Deference. It seems as if the green loop through the park is a conclusion a done deal. The arteries through the sun set highway wind through the park but no electronic traffic signals. My interpretation of the renderings tells us only trees needing to be removed will be removed. The renders show an entire row will have to be removed for this green loop to be constructed. I invite the council to consider greening up those roads and beseech you to leave the south park blocks alone. Thank you.

**Clerk:** Next Robert Gelpke, Thomas Ray, and Kate Dickson.

**Robert Gelpke:** Good afternoon everybody. I live at American plaza in downtown. A mere two blocks from the park. I'm here representing myself, my family and neighbors who cherish this park for many many years. It's one of those places that have remained nice and consistent and untouched when things need to be centered. The park was only minimally attacked. The big trees embrace the difficulties and still value our core of being beautiful and green.

Welcome avenues of a broad array of family centric community based activity. This had cat fight fur bull, I ask myself, what are we losing in this process. Pathways replace gardens and

grass. As the lower branches go all the way to the ground and block all activity. These things contribute to my overall assessment that the plan is net subtractive. It looks like money poorly invested. We all need a few things to remain constant, predictable, and peaceful. Let's not change the park. Do commit to nurturing and protecting what we already have. It's our city treasure and needs to be treated as such. It simply does not need fixing. Please vote no on the plan. Thank you for your time and willingness to serve.

**Clerk:** Thomas Ray.

**Thomas Ray:** Thank you. Thank you for your attention. I'm Thomas Ray. Living downtown at first and Lincoln. The south park blocks have been my family generation. My parents schooled there. My daughter lived on the park. I play with grand children in our park. Its continuity is a family touch stone. A site of spiritual reunion. Central city adopted plan last year volunteers' tens of thousands of hours to create a blue print on which to predict and build our future. It followed. This park proposal deviates from policies and actions stated in cc2525. Evaluations factors include impacts of pedestrian circulation and safety. Policy three point nine states encourage walking as the principle way to get around the city with infrastructure that enhances the city. Active the pedestrian environment. Signature open spaces, enhance the central cities interconnected system of parks trails and natural areas by offering a wide range of social recreational contemplative respite an ecological functions. Contrary to policy, the proposal injected wheeled vehicles into a preeminently unprecedented realm. Walking is discouraged. Two walkways reduced to one. A protected walkway is lost. We seek parks to escape e-scooters and bikes on our sidewalks. Now they invade it. Please vote no on this deeply flawed proposal. Thank you.

**Clerk:** Kate Dickson.

**Kate Dickson:** I am Kate. I'm a downtown Portland resident who like you, loves this city. I'm concerned about the master plan's diversion from the adopted plan. There's a number of areas that spell out how the plan should be founded. In addition policy five states preserve the south park blocks as one of Portland's signature spaces. Protect historic resources throughout the district. The city council adopted a climate change strategy which features tree preservation to help meet key objectives such as the heat island effect. Why would we add fifty thousand square feet of concrete to the park and remove significant trees? This is in

the plan. It's page 41 and 51 for your reference. This is not a conspiracy theory. Tree canopy goals will not be subtracting by adding mature trees. I would suggest to you adding trees rather than heat generating concrete. Yesterday on the 14th there was an article commissioner rubio agrees with this motion. We're in the moving fast enough on climate change. This is about saving lives. Also true. If true the south park blocks need preservation not renovation. Those opposed to the plan are conspiracy theory promoters. How disingenuous is that. Please, it's time to clarify the facts. What is the accurate definition of the park boundaries? How many trees are being removed for the concrete strip? What are the intended and unintended consequences of the bike loop? These are not conspiracy theories. These need to be factually explained before accepting the southwest park blocks master plan. Save this historic park. Thank you for your attention and considerations. I appreciate it.

**Clerk:** Next is Mike Lindberg, Bill Hawkins, and Katherine Hawkins.

**Mike Lindberg:** Thank you very much. My name is mike. I'm part of a group of concerned citizens. I'll lead off our testimony today. We are joined in opposition to the south park blocks master plan by the following groups. North west district association, southwest residential league, the goose hallows league, restore Oregon, the heritage foundation, emergency tree response team, and the group we keep trees sandy. Concerned citizens would support the goals that were laid out today and the specific projects that were laid out by Judy. We think all of these goals can still be met by retaining the character of the existing south park blocks. We don't think it's a place that needs more scooters and electric bike it honor the indigenous population. The group of concerned citizens, received some calls saying we're crack pots and know nothings. It's found up of leaders and the scientific community. All the bureaus working on your plan now. The plan is miss guided and would be a disservice to all those who spent their careers planting those trees. Set aside a further study to see if a consensus could be developed among all the parties. The plan before you today would make the park smaller, replace greenery with concrete. Replace the iconic canopy of trees and replace the park with electronic bikes and scooters. It would be a shadow of itself and unrecognizable. A member of the design commission for many years, our people who live and work downtown clamoring to trade trees for more asphalt. Thank you.

**Clerk:** Bill Hawkins.

**Bill Hawkins:** Alright?

**Clerk:** We can hear you.

**Bill Hawkins:** I don't know if the visual is there. I'll read my letter. Mr. Mayor, members of the council. I'm here today to caution the council against giving up 42 percent of the park land in the cultural district. The only possible reason for reducing the park in size is to provide a legal basis for 15 base intrusion. The remainder within the street right of way now called park frontage. The original trees planted are only street trees and not park trees. A brief history of the park. In 1852 the council adopted the braided map showing a park running 20 blocks through the city. Neither widths nor park blocks were defined. At the same time 50-foot wide streets and one hundred foot wide blocks for north of salmon. The block plan and 60-foot wide streets has never functioned. In 1877 ordered the park at least one hundred feet wide -- the eighty foot block lines were completely abandoned and the park was installed at 109 feet in width as recorded in 1903. The reduction of park size for block seven through 12 can be seen on page 721 -- the green loop and existing park path in line. By this reduction the beauty and symmetry would be permanently damaged. It denies the intent of previous councils which directed the park to be as wide as possible. Thank you for your attention to this important matter. Bill heart. I hope that was there.

**Katherine Hawkins:** Hello?

**Clerk:** Yes, Katherine, you're up.

**Hawkins:** I'm a Portland resident for 70 plus years. The south park block master plan creates rather than solves problems. It would add complexity where there is simplicity, replace trees prematurely. Limited access for pedestrians. The plan precedes this master plan and prioritizes pedestrians in the park. The master plan flies in the face of pedestrian prioritization by removing eight blocks of western sidewalk in place of a new bike way. Construction with city zoned tree code. The pedestrian component of the new bike way would be a paved central path as wide as park central is now. Pedestrian access would be funneled along a hollowed out corridor more accessible for maintenance vehicles. Ready and safe pedestrian access across west park would be compromise rather than prioritized as the master plan envisions --

**Wheeler:** I'm afraid you may have muted yourself. For some reason we can't hear you.

**Hawkins:** Focus on a plan that would explicitly offer methods to optimize rather than compromise the life span of existing trees.

**Hardesty:** I think she is freezing up, Mayor.

**Wheeler:** I think so too.

**Mapps:** Should we turn off the camera?

**Wheeler:** I think we got most of that. Were you almost done with your testimony?

**Hawkins:** Yes.

**Wheeler:** We got most of it there were just a few moments where you cut out there. Thank you.

**Hawkins:** Thank you.

**Clerk:** Next three individuals are Bill Failing, Catherine Thompson, and Stephen Kafoury. Bill. I see you in the meeting. Are you able to unmute yourself?

**Bill Failing:** Yes.

**Clerk:** Great. We can hear you.

**Failing:** Okay. I'm bill failing. Mayor wheeler and fellow commissioners, thank you for the opportunity to speak today. I should also point out I'm not a lobbyist. Let me support the historical perspective and ask all of us to ask ourselves this important question, does history matter? Here is an iconic it 12 block preserve going back to Portland's earliest days. This unique survivor a peak canopy for residents and visitors and Portland's cultural settings sits at the precipice of the well-meaning parks department. At the hands of future generations the master plan seriously compromises the historical setting. Family history and civic pride strongly influences how I feel about this threat. My ancestors beginning with third mayor encouraged the startup of this multi block strip cutting through the city. We have deep family roots here. My grandfather and his eight sisters grew up on the park blocks. I have my own ties on the park blocks. Allow the demolition threatened to be move today the PSU vacant lot at park and mcgomery. My own ties to Portland history continue as I assume the presidency of the Portland historical society. Also as a founding member of the architectural center I continued our family tradition playing a proactive role saving and protecting Portland's icons. While Portland's master plan is meant to show progress and be relevant to future generations, in truth it actually will have the opposite effect. Protecting what exists now

invites all of us to appreciate the aesthetic mist of the past. I hope I have convinced you that history actually matters. Thank you.

**Clerk:** Catherine Thompson.

**Catherine Thompson:** Thank you. I would like to talk about the trees. But first I'd like to respond to Judy's very compelling testimony. I think we were all very moved by it. I think it's important to understand a few things. The plan itself is based on a European model. The design was not part of the Native American -- indigenous people were not included in the technical committee that plotted out these plazas. They are a European design. The trees that are recommended, the cedars and white oaks being recommended to bring some native trees into this park are ones that the tree scientists at PSU had had determined not to be tolerant of an urban heat island and pollution. I hope we find a way to include indigenous people in the park going forward in a way that is viable. I want to thank the staff for the time taken to review the plan with me. I see nothing that protects the existing canopy. It explicitly allows for the removal of the trees. The false statement that the trees are dead, dying and not part of the master plan. Ninety seven percent of the existing trees are healthy. 50% have already been replaced by 22 different species of trees of varying ages. Only if you diagram the trees and compare that to the master plan tree species diagram will you see that no existing tree exist in the master plan. The plan is no maintenance plan for these trees. Block eight, the first to be improved has only five mature American legal elms left. What is sense of a plan that does not honor the existing trees? Our 2035 comprehensive plan call for the avoidance of new paving and the existing canopy as only mature trees can do the work of mitigating the urban heat island. Taking care of the existing canopy is a matter of environmental and social justice. The master plan does not do that. I urge you to not approve it. Thank you.

**Clerk:** Stephen Kafoury.

**Stephen Kafoury:** My name is Stephen and I'm part of the concerned citizens group. You've heard our objections now let me offer some suggestions. Listen to the people. We have communicated with over a thousand people in city of Portland and many organizations. No one wants to change or update the park. The citizens we've talked with, the only ones we found that want to approve the plan are cyclists who want the green loop. Their desires can be met without changes to the park. The citizens advisory committee are representatives of

interest groups. Not representatives of citizens at large. Number two, please stop saying no trees will be cut under the plan. While the plan does not directly call for tree removal, there are significant caveats such as number one, at this time. Number two, unless they are dead or dying. With no plans for inoculating the elms they will soon be dying. A self-fulfilling prophecy. Unless they are destruction. An interconnected underground system resulting in dead or dying. Another self-fulfilling prophecy. This plan calls for a paved promenade through the center of the park. That cannot be done without removing the trees. There's nothing in there about maintaining them. This should be a conservation plan. Let's inoculate those elms so they don't die. We are eager to assist in collecting funds. Closing ninth street auto traffic. Most importantly, bring us into the process. We are not opposers. Let citizens be involved to changes in the plan to ensure what the opposers say does not happen, that the canopy does not happen. Commissioner rubio, you had been mentioned as the best person at bringing people together. Please bring your skills to play here. Thank you.

**Clerk:** Next up, we have Marjorie Kafoury.

**Kafoury:** She's not going to speak.

**Clerk:** Thank you. Now we have Wendy Rahm, Walter Weyler, and Abby Dawson.

**Wendy Rahm:** Have you have called my name?

**Clerk:** Yes, we just called your name. You are up.

**Rahm:** I'm Wendy. Vice chair of the association board and served on the advisory committee. Per New York times, downtowns need more than offices. They need livability. It was openly discussed and unanimously approved by the land use committee and board. The plan succeeds only at divisiveness. Parks can and should improve outreach to the neighborhood. People of all races, ethnicities, economic situations, and ages for whom this park is vital. It works today. Council must find a way to create a more just and equitable city and restore life to downtown. These are the priorities council should be focusing on. Not on this non transparent and rushed plan. Recently released it succeeds at stoke to passions because large portions of the population feel ignored distressed by what is proposed. Blinders to rising temperatures. The central 2035 plan does not require this master plan. It does require a historic nomination for the south park blocks. It makes sense as the landmark commission has said. Knowing exactly what defining features must be protected is an imperative. Those in the

plan are inaccurate and this ordering is not a mistake as Randy Greg said. Use this as your out from this mess. Reject this master plan. Ask parks for a more modest inclusive, more transparent plan. Including a budget for tree maintenance and conservation. Vote no. Thank you for your time.

**Clerk:** Walter Weyler.

**Walter Weyler:** Commissioners. I'm Walter living in downtown Portland speaking on behalf of the Portland association the dna. The master plan included a neighborhood questionnaire in February 2019. I believe the questionnaire was flawed because it asked recipients to rate various changes to active the park but did not invite opinions to leave the park as it exists. The plan would reduce 25 percent of the trees add concrete and cost something over \$50 million. It surveyed a population that did not include the population of regular park users. Many of whom live in the areas affordable housing apartments. There is for example, a contingent of Chinese residents who represent approximately 11 percent of the neighborhood. I believe a survey of the neighborhood population who use the park regularly would not support the master plan. Parks maintains the trees would not be removed. I wonder how to install linear concrete without removing these majestic elms. Finally the dna of course is critical to this plan, we have met and spoken to and respect the professionals of parks who created it. We asked them for help to better understand the plan as early as October of last year, 2020. At a point -- we respectfully recommend you do not approve this plan. Ladies and gentlemen thank you for your time today.

**Clerk:** Abby Dawson.

**Abby Dawson:** My name is abbey. I'm urging the council to please vote no on the master plan unless it can be drastically revised. We live downtown and love the blocks. We do not need more hardscape. The deciduous trees should not be allowed to become unhealthy. They can live 300 years with proper maintenance. Also please separate out the green loop which if enacted would encroach on the trees and endanger them. I urge you to leave the size of the parks enact. These two plans are way too important to be buried in the master plan. Thank you.

**Clerk:** Next three individuals, Albert Kaufman, Adele Pelletier, and Brooke Best.

**Albert Kaufman:** Hello, can you hear me? You can't see me or I can't see me. That's okay.

**Clerk:** Albert, you can start your video if you like, there should be a button on your screen.

**Kaufman:** Thank you. I'm the leader of we keep trees standing. I'm part of the Richmond neighbor association. I participate in an event called the world domination summit. Mayor wheeler and commissioners thank you for the opportunity to speak on this important issue today. I would like to thank everyone who worked on the plan and those who spoke out to oppose it and those who are for it. I think I've learned just as much about the plan in the last couple of hours as I have in the last couple months studying the plan and hearing from various people. This is a chance for all of us to keep learning both about the park and about change in Portland. It's often very slow going and I assume it will be similar. Our group is called we keep trees standing. We learned about this plan maybe two months ago and heard about it as a plan to cut trees. Someone missed a chance to preempt a lot of angry folks. When I hear people talking about planting more grass in parks. I'm very against using gas powered lawn maintenance machines particularly around climate change and emissions. I want to encourage all parks projects going forward to use no mow grass seed. I love the idea of less traffic in the park. When I hear about how much hard scape is being added, I'm very much against that. Personally I would go for the option that we saw earlier where all of the driving through this park is removed. I also believe that many of these trees have another 130 years to live. There's probably a lot of good things in the plan as I've been discussing this plan with other people. I've seen that there's quite a lot of good things that could happen without even a parks plan. There's a number of things that could happen. I would be interested in seeing whether it's this plan or another plan what happens in year one, or five. I love the park as it is. I don't think it needs as much adjustment as is proposed in the park plan. I would vote for something that is more of a maintenance plan. I wish the parks department would have focused on the gas powered tools. Also removing any unnecessary hard scape in our parks and city through depaving as something I'm in favor of. I appreciate the time you've given me. Sorry for going over and thanks for having us.

**Clerk:** Next is Adele Pelletier.

**Adele Pelletier:** Hi. My name is Adele. I live in the neighborhood and I enjoy the park blocks. And as I ran through the park blocks early the other morning, I was struck about how thoughtfully it had been laid out and I was aware of other people on my path and maybe on

the other paths, but there was a sense of solitude as I admired the roses and the other greens. As an early morning runner I thought they about how much would be lost about the addition of fir trees. They would block my vision and bring concerns to a senior woman who runs alone early in the morning. This does not mean I would be in favor of a wide swath of pavement in the park because I might as well be running in the street. What this allows me with the high canopy of the trees that are there now, it allows me shelter and shade and still allows me visibility. As far as the concern about who else is using the park, I heard the term it was designed for the landed gentry. I think if you were there in the park, you would see that there are every kind of people that you can imagine in the park at different hours of the day. I think they have their own personality and more than being the front lawn of the landed gentry, they are a peaceful backyard for all of the visitors and in normal times even the Portland visitor bureau gives out a scavenger list to nearby hotels so visitors to the city get to know us in that way. I totally support the goals of Ms. Skeleton and putting in indigenous plants because that doesn't have to interfere with the overall layout. I do not agree with having a wide swath of concrete or pavement down the middle, nor do I understand the need for a child's playground. I thank you for listening and I hope that you will consider supporting the park as it is and increasing the maintenance so that the trees that are alive today can stay alive.

**Clerk:** Brook Best.

**Brooke Best:** I am Brooke Best. I am part of an all-volunteer group working with dna to list the south park blocks on the national register. The draft plan is flawed. And I say this based on fact, not on conspiracy theories. The design commission's 2016 final findings on the Broadway tower project initiating this master plan stated that the applicant proposed listing the park blocks on the national register, however, parks said they had an agreement in place with the state historic preservation office to list by 2020 and elected to pursue that on their own. What happened to this agreement with the ship? The timing of the plan's adaptation before conclusion of the listing process is flawed. Since the nomination serves to guide the park stewardship this master plan should be based on professional standards for historic, cultural landscapes, specifically the national park service's preservation brief 36. The plan simply references the standards for rehabilitation and asserts that it's taking a rehabilitation

approach. Nothing in the document assesses how the design concept will meet these standards. Instead it appears to ignore most of them. Commissioner rubio's communications director is quoted saying -- no trees will be proactively removed. Zero. Nada. None. This is just semantics. The plan's detailed maps show otherwise and you have heard it in previous testimony. This includes the dual north-south walkways that are getting collapsed into one wider central hard scape. It's almost impossible as Walter Weyler said, to do this and it sure seems like these trees are getting proactively removed in order to accomplish that. The green loop further threatens the western row of trees as you have heard, not to mention that it contradicts the city's own tree code. We have seen this before with grand schemes to improve the park in the '50s and '70s. In both cases they yielded to a more restrained approach out of respect for the resource. Doesn't the park deserve the same respect now? Please vote no and thank you very much for this chance to comment.

**Clerk:** Next --

**Wheeler:** Megan, before you get to the next three, I had a request for a brief recess. And I am seeing my colleagues shake their heads. So why don't we take a ten-minute recess, give everybody a chance to get up and stretch. We will reconvene at 4:15 p.m. We will take a 10 minute recess. We are in recess.

**Wheeler:** We are back in session. Go ahead.

**Clerk:** The next three individuals are Iain MacKenzie, Richard Rahm and Christina Hellums.

**Iain MacKenzie:** Good afternoon. My name is Iain MacKenzie. To add variety I am here to support the south parks master plan. I love the south parks. I came here in 2004. I walked through the parks every day to and from work. It was the first part of Portland I got to know well and I can't believe it was 17 years ago. If I heard there was a plan to harm the park blocks, I would be here in opposition. One community member posted on Facebook posts trees on the park blocks with yellow caution tape around the trees indicating they would be cut done. Most people believe the city put the tape there and the trees are coming down. The tape was put there for the people taking the photos. None of the trees will be removed for the loop. It's a succession plans for what happens when trees need to be replaced. I still remember a wet and windy day seven years ago when a woman came into the park avenue cafe and she was distraught. She said a tree fell on her car. I really hope the city council not only votes to

approve this plan, but to explicitly plan to give parks direction to move forward with the cultural artistic plan in appendix b that shows a wonderful vision how we can increase green space and canopy in the heart of downtown in space that's currently paved. Thank you very much.

**Clerk:** Next is Christina Hellums.

**Christina Hellums:** Hi. My name is Christina. I graduated in 2019 with a major in environmental policy and decision making at the university of Puget sound and I grew up in the first congregational united church of Christ and now serve as a councilmember. South park number 11 is our church's front yard. We, and none of the churches on the park blocks were invited to the committee. I have changed my mind and I think the tree succession strategy is adequately inclusive. I only ask you what's the end of a tree's lifespan? Where this plan falls apart is on the green loop alignment. I ask that you vote no on the proposal as is. I urge you to reexamine the plan for connecting the green loop to the south park blocks. The green loop is inside or already using the existing sidewalk in the park blocks in the university district, example park block 2. Why cannot this not continue in the cultural district. As the plan is now, it will take away approximately 84 parking spaces. The impact statement by tape white states that quote the south park blocks master plan promotes decreased energy use from people driving less, the reduction in space reserved for automobiles with active transportation connections like the green loop end quote thereby making a 100% renewal goal. The reduction for space for cars will not makes it less traversed, it will add to more congestion. Reducing space for cars is not the way to reach a sustainable or renewable goal especially when the space in question serves a significant population of elderly people who attend church services and enter through the ada ramps and entrance adjacent to the park blocks. I ask to reexamine the connections to the green loop. Thank you for your time.

**Clerk:** Richard Rahm.

**Richard Rahm:** Thank you. My name is Richard Rahm thank you for the opportunity to speak. I am a downtown resident and have for many years volunteered tending to the park, indeed were out there early this morning. As a local residence I am in the park frequently at various times of days and times of year and can testify it's actively enjoyed by a great variety of people. Downtown offers workers, neighborhood residents, preschool children and PSU

students on the grass and elderly folks practicing tai chi and visitors and tour groups from near and far. The idea that this master plan is needed to activate the park is a bizarre and synthetic rationalization for an uncalled for project. We have a magnificent park already. A tax of approximately \$50 million when Portland can't cope with its housing problems. Is this what the voters want? This plan was developer initiated and promoted and staff driven, not a response to any widespread citizens call to rebuild this city treasure. I sense the momentum for this has been generated artificially. Better maintenance would preserve this wonderful city asset at a fraction of the cost of this proposal. Devote big money to the city's real problems, not this. Please vote no on the master plan. Thank you.

**Clerk:** Next three individuals are Roger Vrillakas, Denyse McGriff, and Robert Wright. Roger, are you able to un-mute yourself?

**Roger Vrillakas:** Thank you. Am I heard now?

**Clerk:** Yes, but we can't see you if you would like to turn on your video?

**Vrillakas:** How do I do that?

**Clerk:** There should be a little video icon next to your mute icon. There you go.

**Vrillakas:** Okay. Good afternoon. My name is Roger. Many a pleasant hour I have passed in the south park blocks in the 47 years Portland has been home. The laudable and necessary goals of increased equity and apology for our nation's deplorable past actions expressed in commissioner Rubio's resolution are somewhat being met by simply having a park in the cultural center of the city open to all. If the city is bound and determined to spend money on a park, why not build one where it is needed? Never did the south park blocks seem to me exclusive or need improvement and it doesn't need it now. It only needs some care. Some care is also sorely needed by many of the inhabitants of the city of Portland. The \$47 million proposed to fix the south park blocks, which aren't broken, is not a rational use of funds, especially with the problems facing our city today. It feels awful to walk through the south park blocks past people sleeping on the ground. It feels awful to me that our city has come to this and it must feel really awful to sleep on concrete. Surely, \$47 million could be better spent. Please vote to not accept the south park blocks master plan. Not now and not anytime soon. My mother did not let us eat desert before eating broccoli. Redoing the south park blocks is desert. It is past time for the city to focus on broccoli. Thank you for your time.

**Clerk:** Next is Denyse McGriff.

**Denyse McGriff:** Yes, good afternoon mayor and commissioners. Today I am wearing two hats. I am an advisory for the national trust for historic preservation representing the state of Oregon and also the president of the board Bosco Milligan foundation. You are familiar with us as we own and operate the architectural heritage center at southeast grand avenue and already streets. We are basically concerned with the master plan. As you are aware it's a series of blocks in the center of our city. We are fortunate to have the legacy of the previous founders as a gift to the city of Portland. These blocks are like pearls in a necklace. You can't just take it apart and still have a necklace. The pearls have to be kept together. They are the pearls of our natural landscape. They are not separate districts owned by PSU or anyone else. They belong to everyone in the city. A couple of concerns I noted personally is that the park blocks are a place of contemplation and devoid of visual clutter. Why do we need to add more stuff? When you are in the park, you need to be thinking about the life and universe and everything, trees are a good thing to look at. The master plan, I believe is a bit of a short-term gain at the cost of the legacy of the park blocks. The master plan should be delayed until the national register nomination can provide the necessary guide for the development of the park blocks. As the previous speaker noted, the place in Portland where parks are really needed and money needs to be spent as you all know is southeast Portland. They are devoid of many parks and they could use that \$147 million over there rather than spending it on the park blocks which need maintenance, not more money poured into it. I want to thank you for the opportunity from the Bosco Milligan foundation and from the national trust. We support the efforts of the city of Portland to retain its cultural landscapes. Thank you.

**Clerk:** Robert Wright.

**Robert Wright:** My name is Robert Wright. I am a proud native of Portland and have lived in the west end the last 15 years, close to the south park blocks. Certainly, a plan is needed for this historic urban jewel. A plan to maintain and replace its iconic trees and a plan to maintain pathways and supporting infrastructure, however the proposed master plan changed the fundamental design of well renowned world landscape artist and pioneering horticulturist Lewis g. Funder. He planned Manhattan central park and San Francisco's golden gate park before being commissioned by the city to plan the park blocks. Around the world it's well

recognized that urban parks are much needed places of solace, respite, and recreation. Presently in proper balance with these fundamentals the park is active with a playground for civil, farmers, civic rest and protest and rest for university students and a place for graduation. A redesign is not needed. The south park block is very accessible to pedestrians open to all, the very embodiment of diversity and equity. As has been done through streets through quiet residential neighborhoods, it should be calming, not activating. Remove streets and active lane for bicycles, skateboards, and e-carts will not be calming for pedestrians and residents. City lands for bicyclists should be for access to the park and not be through or adjacent to it. You are stewards of the park. Great care and foresight are needed lest it eventually becomes something akin to a fairground to be overused pushing history and respite aside. There are good features in the plan, but as proposed, the south park blocks master plan should not be approved. Thank you.

**Clerk:** Next three individuals are Diana Stuart, Marian deBardelaben, and Eric Lindauer.

**Diana Stuart:** Good afternoon. Can you folks hear me? Good afternoon I live in doesn't Portland. My name is Diana Stuart. This plan is designed to activate the south park blocks during a time when those who live here are endangered by climate change. It Olympics at a minimum the central row of elms and concrete where activation spaces, seating etc. Are planned, thus reducing the canopy. It replants species that don't protect us as well from urban heat death and pollution. This is the only neighborhood green park for the downtown. We urge you to maintain the park. Addressing the needs of the neighborhood. Those who want to preserve and protect, not activate the south park blocks have been marginalized in this process. Look at those invited by parks to address you at the beginning of today's presentation. None, not one, was a downtown resident. Not one was from the dna. A campaign of disinformation and disingenuous attacks have been mounted against those who have studied this plan for over a year and who have thoughtfully raised concerns and objections. One uninformed city staffer who refused to even look at the evidence supporting those concerns is now emailing citizens that the plan was spurred by quote the need to plan for a growing city, redevelopment in the area and to continue popular activities. Exactly. Developer needs, activity needs, which could be held in other downtown already activated parks. What's missing from this list of needs? Were the needs of neighborhood residents

raised? Absolutely not. Support and pollution hazards that the park currently mitigates, not mentioned at all in the plan. The staffer states that there is no proposal to remove any trees at this time. So when? When the bicycle loop goes through, the central concrete promenade and meeting spaces are build, when the trees die because the plan makes no provisions to inoculator ensuring trees that will die. If you believe the Portland tribune's article today you have already made up your minds and intend to approve this plan no matter what you hear from us or what the science or your citizens say. I hope this is not true. This plan has caused much conflict in the city. The plan has repeatedly marginalized doesn't citizen voices. Please vote no. I, too was moved by Ms. Blue Horse skeleton's comments. Let's protect and preserve what you call in city brochures this quote gem of a park. Thank you all very much.

**Clerk:** Marian deBardelaben.

**Marian deBardelaben:** Thank you for hearing me today. My name is Marian. I am a person of African and native American heritage. I live doesn't and ask you to consider the future impact of the decision you make today. You speak of diversity issues, yet you don't listen. Diversity doesn't speak to any one race or culture. If you are serious about honoring diversity, consider the beliefs of indigenous people's reverence for the land. The south park blocks are as any church that yet stands and yet you don't see. It's a place that allows for peaceful reflection and a respite for the soul. Instead provide maintenance for this beautiful, unique, deciduous landscape. Evergreen trees have no place in its design. Protect the trees that do a herculean job on pollution control in our neighborhood. Citizens live here and tourists frequent our downtown and have the experience of three unique parks, pioneer square a hard scape, director's park a hard scape and the south park block. The only one that gives a nod to nature is the south park block. It stands alone in the concrete and steel of our ever growing city. In the grand scale of things, New York has central park. Why can't Portland have the south park block without evergreen trees, bicycles or e-scooters racing through ranging the feelings of peace and pedestrian safety that exists there today? Are you willing to go down in history as having destroyed this beautiful oasis? Honor your promise to apply for historical recognition of the park. Other areas need support and change more than the south park blocks. Need help provide jobs and clean up the destruction of the past year, first and foremost. Thank you for your consideration.

**Clerk:** Eric Lindauer.

**Eric Lindauer:** Mayor Wheeler and commissioners Ryan, Hardesty, Mapps and Rubio, I do not envy your decision on this issue nor the many other critical issues facing our city.

Notwithstanding the work that went into the master plan, this plan fundamentally changes the character of the South Park blocks. I must say I think I agree with many of the others. I think this master plan caught many of us by surprise as evidenced by the number of people who are testifying against it today. And I am sure that they made an effort to outreach, but there is simply a lack of communication with the community that enjoys the presence of this park. I ask you where is the demand? Certainly it does not match the concerns that this city has for the homeless. But why would we spend \$46.5 million on a problem that really doesn't exist? There is no reason to take out trees. There is no reason to add cement. This money is far better spent on improving the parks on the southeast of our city where the need is great, the improvement is wanted and the citizen's support. With all the issues that are facing you, Mr. Mayor, and members of the council, we do not need to spend \$46 million on a problem that simply does not exist. I am reminded of Shakespeare's comment in King Lear. I think this applies to the parks department, striving to do better, we often mar what is well. I think what's happened here a master plan that may be striving to do better, but in the end result mars what is already quite well. Please, slow this process down. Vote against this plan or reconsider it as you deliberate on this important issue. Thank you.

**Clerk:** Next three individuals, Leslie Hutchinson, Lawrence Kojaku, and Carol Mayer-Reed.

**Leslie Hutchinson:** I am unmuted now. Can you hear me? Okay. I will begin. I started my video, but I don't see, maybe it will come on. Thank you, Mayor Wheeler and city council members --

**Wheeler:** Meghan can you help her with her video?

**Clerk:** I see her video on? Can everybody else.

**Wheeler:** I am using the group view. Sorry.

**Hutchinson:** There I am. Okay. Thank you, Mayor Wheeler and city council members for hearing my comments today. My name is Leslie. Born and raised in Portland I descend from the Farrell family from which the Farrell Sycamore at London and Southwest Main is named. I am a volunteer member of the DNA sub-committee to write the national register nomination

for the south park blocks. As a lifelong plan of the south park blocks, I wonder if the original designers could believe how their park has were survived. The stately sequence of 12 blocks of deciduous trees of uninterrupted rows provide safety to all who walk across it. In this intrinsic state, this park does not need more concrete. It does not need a bike path which is inconsistent and incompatible with the park today. What it does need is more care for every single American elm it can lay its hands on. It needs more pathways and statuary and creative attention to beds and grooming and none of these are necessary -- none of these require a master plan. It also needs respect for the nearly 150 years of providing the citizens of Portland with a breathtaking treasure. As witnessed in the widespread objections to the master plan today, parks and recs wants to present a community developed design as they state in their first goal, this is not the one and what is the rush? I urge the council to vote no and to reconsider this plan. Thank you.

**Clerk:** Next is Lauren Kojaku.

**Lawrence Kojaku:** Hello.

**Clerk:** Apologies, Lawrence, sorry about that.

**Kojaku:** I am Lawrence, representing the northwest district association. Our neighborhood association opposes the south park blocks master plan. This historic and unique green space in the heart of the city should be cherished and cared for rather than remade to resemble other city parks. We question the priorities of the parks bureau in imposing a makeover of the south park blocks that would cost \$47 million while ignoring needed parks and recreation facilities elsewhere, including in our own neighborhood. Our northwest district has added more than 4,000 new housing units over the past ten years, considerably more than any other neighborhood. Although these construction projects have generated over \$17 million in system development charges, parks bureau spending in our neighborhood has remained meager and a small park that was planned ten years ago has not even been initiated. The impetus for this master plan was developer and agency interesting, not neighborhood needs. The developer of an oversized hotel and office space building near the park was required to offer a public benefit proposal, which turned out to be an affordable housing apartment building that was never built and contribute \$375,000 towards the master plan. The master plan exemplifies the unfortunate preference for city agencies for rebuilding over

maintenance and preservation. The park's historic trees should get the same tree inoculation and canopy thing that the city currently provides to designated heritage trees. Thus, since this master plan will cause unnecessary and irreversible harm to a beloved park and there is no pressing need for it, we strongly urge you not to adopt it. Thank you.

**Clerk:** Carol Mayer-Reed.

**Carol Mayer-Reed:** Good afternoon. Can you hear me? Okay. Thank you. My name is Carol Mayer-Reed. I am a principle with the design firm Mayer-Reed. I practiced as a landscape architect for over 40 years. You may know some of our public works including the Vera Katz east bank esplanade. We approach our work with the intent to create meaningful? Equitable projects. We joined the mig team on the south park blocks master plan anticipating that we could make a contribution has others have before us. We considered the historic character of all these spaces in the design continuity and trees and lighting and landscape linked with the pathways. We understand the south park blocks with the larger city, PSU and the community. Through the master planning process we have listened to and incorporated input from a wide variety of stakeholders and park users, including representatives of underserved and minority groups. Please be assured the stately trees have been well considered. We consulted with arborists on how to plant long living trees. We have to take a long-term view how to achieve a healthy balance and urban environment mindful to other generations who will use it in the future. It's clear the testimony the park maintenance should be given more attention. The green loops is envisioned as a family-friendly route spanning both sides of the river. It's another future legacy in the works in this city. It's intended to serve all ages and abilities of pedestrians and persons using slow-riding not vehicular modes in an effort to attract -- excuse me, non-pedestrian modes out of the pedestrian spaces. It's important here that we differentiate between green loop and on-street bike lanes intended for faster cyclists. They are not the same. The two are designed to attract different types of users. The green component for south park blocks replaces an existing sidewalk and on-street parking in order to avoid tree removal or create negative impacts on existing trees. I truly appreciate the compassion and concern about citizens who like me care deeply about their city. Thank you so much.

**Clerk:** Next three individuals -- Darlene Garrett, Betsy Toll, Judy Bell.

**Darlene Garrett:** Should I go?

**Clerk:** Yes.

**Garrett:** Okay. First of all, I want to point out that this park has already served seven generations and I am hoping it will serve at least another seven generations. Thank you for this opportunity to give this public testimony. My name is Darlene Garrett. I have a master's in public administration and have 35 years of community development in 35 countries. If I were to give you professional advice regarding the south park blocks, I would say do not fix something that is not broken and so beloved to the heavy users of the south park blocks and downtown neighborhoods association. Maintain and sustain the south park blocks as they are. The park blocks serve the city as a sanctuary in a high density living environment. I live on southwest 11th. I live in a diverse neighborhood. I am surrounded by low income housing, and condos that cost millions of dollars. Everybody uses the park blocks. I am surrounded by people that live unsheltered in the streets, in tents and I am surrounded by a huge number of senior citizens that use walkers and wheelchairs. We use the south park blocks daily as a place to sit calmly in the outdoors to seek cool shade in the heat of summer, to enjoy the roses in the season, the serenity of the atmosphere as I find a spot to sit outside. It served for me and for many others as a salvation through the pandemic. Most of us living downtown have no green space or even balconies to call our own. We do however, have the beautiful elms, the variety of plantings surrounded by the beautiful monument buildings of the cultural district. It south park blocks represent perfection in urban planning and deserves the national historic designation being sought. I had some comments on the green loop, but all I will say -- I won't really comment on that except I don't think that it's necessary. And I use the park blocks every day and I rarely see children or families riding bikes in or around the park. Most of the bike riders that I see living downtown are serious bike riders. They are commuters. So yes, I absolutely believe that there should be a commuter route and that should not be the park blocks. Why are the changes to the south blocks even being considered when the south blocks are already perfect? O'Bryant park is a mess. Chapman square needs great help. The waterpark has potential for many active park scenarios. If you do anything to disturb this urban sanctuary the downtown neighborhood association and residents of downtown will not be happy. Why would you disrupt something so beloved? Many people moved from

downtown during the protests and during the pandemic. In fact, my apartment building went down to four apartments being used, the rest are vacated. For those who stayed, the sanctuary afforded by the south park blocks is one of the reasons why. Why would you create another problem for yourselves at a time when your problems are stacked on top of each other in a very big way? Lastly, the rumor that this master plan was paid for by a developer in lieu of building affordable housing makes me angry. Every day I serve the homeless and the houseless in downtown Portland. This is a major disappointment to think that major housing was given up for this master plan. I work downtown daily and know that this is truly the necessary priority to move forward, not a master plan for the south park blocks. I respectfully submit this testimony. Thank you for your consideration of my statement and most of all thank you for your public service at a time when things are not that easy here in Portland.

**Clerk:** Next we have Betsy toll.

**Betsy Toll:** My name is Betsy Toll. I live in southeast Portland. I have been in Portland for almost 35 years. I love this city, and just would like to say thank you for inviting us to have this opportunity to weigh in on this issue. The south park blocks I would say as someone who has already lived on the east side have only a partial value as a neighborhood park for folks living downtown. More broadly, they are a city treasure and they are not simply a boon for those who happen to be lucky enough to be there every day. The beauty that the park blocks represent fasters a sense of wellbeing and a love of place and a sense of belonging to the city and added 50,000 square feet of hard scape as our population grows in coming decades, this just flies in the face of the urgency of protecting green areas and protecting native ecosystems which is ever more vital. In light of the history, not just of the park, but of this land, we need to bear in mind the coming 100 or even 200 years. What species are likely to survive in what climate scientists and recent events show us is unlikely to look like it looked 150 or 200 years ago. The park's history as recounted begins arbitrarily 150 years ago and neglects the hundreds of years of ecological and cultural values that existed prior to arrival of folks like myself from European cultures. Urbanizing this expansive green space is very likely to foster love and a sense of belonging and ecological responsibility and it would be short sighted to assume a few generations from now the greatest values will be paved playgrounds rather than nature-based uses for ceremony and cultural activities that reflect not only the

long history, but also the many cultures that live in Portland now. We can't go back to any idealized past but we look ahead before or beyond the 21st century and our technologies, we must look to a future that will rely again more strongly on the beauty and sustenance and the health of the natural environments that truly do sustain us with a sense of wellbeing, a sense of beauty and sense of gratitude. Thank you. Sorry I went over.

**Clerk:** Judy Bell. Judy, you are muted.

**Judy Bell:** Sorry about that. My name is Judy Bell. I am a resident of downtown Portland. And I thank you for hearing my fairly modest testimony today. The following is a quote from the master plan. As responsible stewards, we need to look ahead and equip our existing parks to serve the changing needs of a growing and changing Portland. Really? It is incomprehensible that with the global warming crisis that so -- demonstrated so recently with the heat dome, which urgent and creative action is required that this master plan skims over that moral imperative and proposes 50,000 square feet of additional hard scape changes to south park blocks that would increase the heat islands created by urban concrete, the heat islands. Some climate change recommendations are easily accomplished, embraced, protect, maintain, increase the urban canopy of large species trees. Create shade and use natural solutions to address the heat islands, which have been created by urban concrete. According to a 2019 epa report, large species trees produce shade that can be 20 to 45 degrees cooler than the peak temperatures of unshaded materials. Large statue deciduous trees in our urban environment also reduce energy use, improve air quality, and lower greenhouse gas emissions, remove air pollutants and -- sorry, store and sequester carbon dioxide, enhance stormwater management and water quality, improve the quality of life by the aesthetic value, provide habitat for many species, and aid in the reduction of noise. The proposal before you today is designed with intent to activate the park and decrease the maintenance need of a large species trees. Whenever you read activate, it means create concrete, remove grass, and take action or inaction that will jeopardize the health and cause the inevitable death of our elms. Maintain, conserve. Please don't approve this flawed proposal. Have the courage to stop the plan now. Pull it back. Have an environmental impact study done. Really do a deep dive into the ultimate impact of this plan. Prove that Portland can indeed be responsible stewards

of its green spaces and large canopy trees. And will make decisions based upon best science in the face of our climate crisis and live for the seventh generation. Thank you.

**Clerk:** Next three individuals are Bette Steflik, Lori Utz, and Mark Fromm. Bette, you are muted.

**Bette Steflik:** Is my video on?

**Clerk:** Yes.

**Bette Steflik:** Mayor wheeler, members of the council, I am Bette, I believe the importance of older trees is best described by British -- excuse me, by forest ecologist Susan, professor of university British Columbia and author of finding the mother tree, uncovering the wisdom and intelligence of the forest. Old trees are a society. They are so much like us. Trees have complex lives. They know what their neighbors are doing. They communicate with them through fungal filaments that travel through the soil. They also communicate by sending chemicals through the air. They are in constant conversation helping each other out. They are a caring society. They look after each other. Through the relationships, they are able to heal themselves, their families and heal their communities. And this is what we do. What these forests can teach us and how to heal our opportunities, but also how to treat them with more respect. We evolved from trees and we owe them our livelihoods and yet we exploit the forests as though they are not intelligent nor have wisdom and we are undercutting our ability to have our needs met by using them without respect. Trees cycle our water, they clean our air, they store carbon, they house biodiversity. They are so important in our lives. If we lose them, then we lose ourselves. If we can heal our relationship with nature, we will solve our environmental problems. This is the place of healing. A mother tree is a hub tree. I believe the older trees in south park blocks are all mother trees. If they are taken down, cut done, removed, the city will lose the entire park and then Portland loses and the citizens lose. The green loop is not an equivalent to such a loss. I urge you to vote no on the master plan. Thank you. Master plan.

**Clerk:** Next is Lory Utz.

**Lory Utz:** Hello, can you hear me? Okay. I am not sure my video is on. My name is Lory. My husband and I are seniors and have been enjoying the south park blocks for over 15 years. Currently, regular users of the park enjoy its peacefulness as a respite from the pace of the city

and feel that activating the park will produce congestion and noise. Barbara Streisand has a song the morning after we ask the right questions. Here I am the morning before. I have half a dozen questions. First, how many of the people supporting these changes live downtown and are regular users of the park? Why are so many people pushing this plan when the majority of the regular users of the park are opposed to it? What about climate? We have talked between trees -- about the trees, but has there been an ecological impact study to determine the effect of losing these trees and replacing them with concrete? How much will those plans negatively contribute to the climate disaster that we are facing. We should not do anything that does not make a positive contribution to solving the climate problems that we are facing. As far as bikes are concerned, the plan did not intend to support vehicles, bicycles in the first place. It would create accidents for all the users of the park, but especially older users or people with children or pets as they enter or leave the park. Why not find a more suitable alternative for bicycles? What would be the alternatives for another peaceful, green shaded gathering for downtown visitors of the park blocks? There are no alternatives for that. Why not use the funds in question to maintain the south park blocks as they are and use the money somewhere else in Portland where it can make a positive and not a negative difference? Thank you for listening to my comments.

**Clerk:** Mark Fromm.

**Mark Fromm:** Mayor Wheeler, commissioners, thank you for the opportunity to testify in the proposed plan for our south park blocks. My name is Mark. We live nearby in a nearby apartment building and the park is our backyard. A while back I visited the project west coast for the master plan. After reviewing a number of the options for further development of this historic park, I selected one as requested. Since that time, additional information has become available to me and it is evident that there are serious concerns about the project. The one question I have and believe you should consider fully is of all the options, why wasn't one to keep and maintain the south park blocks as it is? This space is well utilized. It's been successful for over 100 years. Please stop this project. Provide money to improve the maintenance of the historic trees, which are only halfway through their life. There are many pressing needs in Portland, including under-served communities. Please use the money there. Thank you for your time and your consideration.

**Clerk:** Next we have David Dickson, Sue West and Pat Squire.

**Hardesty:** Excuse me, mayor.

**Wheeler:** Commissioner Hardesty.

**Hardesty:** Thank you, mayor. I just want to let folks know that I need to leave. I have another appointment and I did not anticipate us going before 5:00 p.m. However, I will review the testimony that's on the record priority our vote whenever the vote comes up.

**Wheeler:** My presumption, commissioner, and I will defer to the commissioner in charge, I hinted to this based on number of people who signed up, we probably won't deliberate or vote today, but I will defer to the commissioner in charge.

**Rubio:** I think it's a good idea Mayor and thank you it's an important topic and would love to have commissioner Hardesty have the ability to participate.

**Wheeler:** That makes sense. We will continue to hear the testimony. Commissioner Hardesty can review the testimony. Since we probably won't be taking a vote today, we will keep the written record open for a few days. If there were people who wanted to testify but weren't here today and want to submit something by writing or email, they can certainly do that and we will announce that at the end. We will continue testimony.

**David Dickson:** My name is David Dickson. I am testifying to express my concerns about the south park blocks master plan. First, I live two blocks from the south park blocks. I am an avid cyclist and very much support safe and usable bike lanes in Portland for both commuters and leisure cyclists, but a plan to put a bike loop through the south park blocks is neither safe nor practical or usable. To travel south through the south park blocks you must travel through three very busy streets, and even faster and busier one-way street, market. With cyclist whose are it's notorious averse to yielding to traffic or pedestrians, self-included, this will make a very dangerous series of crossings. Second, even if downtowners like me wanted the changes which the plan proposes, which I for one don't, why would the city spend over \$46 million on an existing park in the downtown where there are vast sections in east Portland that are desperate for parks and open space. Thank you very much for listening. I appreciate.

**Clerk:** Pat Squire. Hi, Pat. Go ahead.

**Pat Squire:** Thank you very much. Good afternoon mayor and commissioners. First of all, thank you for your public service. We really appreciate it during this difficult time. Thank you

Commissioner Rubio and Tate White for the obvious time you spent on this incredible plan. However, I am not going to reiterate all the things that other people have said. My name is Pat Squire and I have a slightly different approach this afternoon. I spent 20 years working in the South Park blocks, first in Cramer Hall and then most memorably in the Simon Benson house, which as many of you know was moved there with the efforts of late Commissioner Gretchen Kafoury and the PSU alumni association and many others. So it was from my perspective at the Simon Benson house looking over the park blocks and realizing how many people enter the park blocks from many business intersections, that one was specifically southwest Montgomery and Park. I have several questions about the greenway. The images in the plan showed the greenway as a shared bicycle path with pedestrians and other wheeled vehicles, including some images of small children riding small bicycles. What is to prevent cyclists from using the greenway as a commute path? I understand that there are some people that are not happy with trying to commute on the busy streets, even though there are designated bicycle paths, so how can you prevent commuters from using this path? How will pedestrians at southwest Montgomery and other busy intersections safely cross the greenway? And then with just one lane for car traffic, how will drivers drop off disabled and elderly passengers at apartment buildings, restaurants, and the art museum? So these are things that I think need to be addressed. The plan talks about safety, but in fact, there are some things, some inconsistencies that I think you need to question. Thank you very much.

**Clerk:** Next three individuals – Andrew VanDerZanden, Nicolas Cota, and Meredith Savery.

**Andrew VanDerZanden:** Is it my turn now?

**Clerk:** Yes, we can see and hear you.

**VanDerZanden:** Sorry, had a glitch there for me. Excellent work with the last name. It's a hard one. My name is Andrew. At the outset, I want to state although I represented the Oregon Historical Society on the South Park Blocks Planning Citizens Advisory Committee, the testimony that I offered today is not as a representative of my employer, but as a private citizen that had the good fortune to work on the South Park Blocks now for 20 years and witnessed the proceedings of the cac. My views do not represent that of my employer. The Portland Parks & Recreation Department structured, organized, and facilitated the Citizens Advisory Committee in exemplary fashion. My partner who works with organizations mainly

on the state level was jealous of how well things working actually, in the cac meetings and wondered how she could get in on the action. The only issue I had with the meetings was actually the numerous and constant attempts by the downtown neighborhood association's representative who dominated conversation, prevented other participants from having their voices heard and actually breaking rules of decorum. I can assure you that great attention was a focus on the historic aspects of the south park blocks, the retention of the tree canopy, safety, all those were considered and gone over extensively. However, it became clear to me maybe two meetings in, that the dna and the dna representative never really wanted to engage in this process. That they had come in with an agenda from the outset and they were going to do whatever it took to prevent any changes from being made to the south park blocks. Once the dna leadership realized that the cac was unlikely to back their efforts, they resorted to complaining about the process and going around the cac and going to media and pushing a nomination for the south park blocks to the national register that asked for onerous and dubious restrictions without including others from the committee. As someone who works on the south park blocks and knows many people who live on the south park blocks, I can say the dna does not represent the whole community. They represent instead, a small cadre of their leadership who have quite honestly, misled, lied, intimidated others in order to try to get their nimby wishes accomplished. I hope that you will see through this and see through their arguments and respect the excellent work done by the Portland parks & recreation department, the citizens advisory committee and the true technical experts in the field. Please vote for the adoption of the south park blocks master plan. Thank you.

**Clerk:** Nicolas Cota.

**Nicolas Cota:** Thank you commissioners and thank you mayor for your time and listening to all the testimony today. I am near the bitter end here. I just want to say I will be one of the people that will support moving through with the master plan. I wanted to defer a lot of what I was going to say to Carol Mayer-Reed's testimony. She wrapped a lot of things I wanted to say. The one thing I do want to focus on is the green loop and the community for -- to introduce this park to not just commuters, but to people who are visiting this park in more ways than just by foot. I think there are a lot of people who do rely on bicycle transportation in the city, and I think this is going to be, you know, a welcome way to change the street and I

think a lot of people have been misled and it's been a lot of misinformation going around that part of the park will be the green loop. This is roadway space that was used for parking. I think all the more we need to be really rethinking these spaces in this valuable place for residents and using this space for more active modes of transportation, especially as we address climate change, you know, as we all heard now 54 of our neighbors died within the last month from a climate change induced heat wave. I think now more than ever we need to rethink about how our space is being redesignated for cars and how we make the shift to give the space back to people and give the priorities. Once again, I think there is a lot of misinformation. I keep hearing the 50,000 square feet. That was part of that petition. This is a concept. This is a schematic level that 50,000 square feet is not an exact number. This is something that will get debated once it moves forward. Once again I want to respect my time and end it here and say I hope you vote yes for this master plan. Thank you.

**Clerk:** Meredith Savery.

**Meredith Savery:** I don't see a way to get my video active.

**Clerk:** Sorry. We had a note that you weren't going to share, but I can move you over if you would like.

**Meredith Savery:** No, that's fine. Good afternoon. My name is Meredith Savery and I live in the south waterfront. I am testifying today to request that city council vote no on the south park blocks master plan and refer back to the parks department for further discussion with the community on what beneficial changes are truly needed. I object to the plan for the following reason -- first, it changes the fundamental character of the park blocks from an urban oasis of serenity and beauty to a busy hub of activity and transit. And the pictures used in Tate White's presentation amply portray that business. Second, it reduces the actual park square footage over time. It reduces the number of trees. Third, it proposed replacing some deciduous trees with evergreens which are inconsistent with the design and purpose of the park and that they throw shade 12 months a year. It also creates unsafe competition between pedestrians and bicyclists for use of the park. And finally, there is no budget proposed for tree maintenance. While some updating of the park blocks infrastructure is undoubtedly needed, the current plan goes far beyond improving this iconic space. In fact, it will deeply damage

the character of the space and create more problems. I ask city council to at the very least, send this plan and the parks department back to the drawing board. Thank you.

**Clerk:** Next three individuals – Doug Klotz, Robert Bernstein, and Fred Leeson.

**Doug Klotz:** Hi, I am Doug Klotz. Younger you to vote yes on the south park blocks master plan. It's a space that celebrates multi-cultural and supports people of all ages and expands the green loop and corridor. The green loop is a good condition. Garrett didn't see earlier; she didn't see families or children riding here and that's what the green loop will provide. It provides a slow speed biking and protected space where you won't be hit by cars. I would say we would need signals at the busy street crossings that were mentioned. And you know, people that want to ride their bikes faster, will probably use the other routes that are faster. No one wants to be dodging around children going slowly and most cyclists have a more sense of responsibility than this other fellow described. Anyway, as we learned unlike the claims, no trees will be removed for the bike lanes. The bike lane will go in a place that is now paved already. You know, it's now just used for car parking. So I would like to see the plans implemented to make the park accessible to all and update the park as a place of beauty, rest and excitement for future generations and also serve the whole city, not just downtown. People come to visit downtown from all around the city, people who work downtown. I worked downtown for ten years and walked through the park blocks often. It's to serve everybody and ensure the future in perhaps ways that were different from what recreation was like in 1880. We need to approve this plan to accomplish all of that. Thank you.

**Clerk:** Robert Bernstein. Robert, are you able to un-mute yourself anymore let's go to Fred Leeson first.

**Robert Bernstein:** Okay. I am here now.

**Clerk:** Okay.

**Bernstein:** Okay. So I am Robert Bernstein. Thanks for this opportunity. I am pretty well plugged into what's going on in town. I never heard about this until the past two months. You heard the existing trees are healthy and received the highest ratings in the questionnaire that parks and recs did. To replace the plantings will take 30 more years to restore the benefits and qualities that we enjoy will be lost. The existing trees tap into deep water sources while new plantings may fail. I saw pictures of sword ferns or lady ferns. They got totally

scorched in the last heat wave that was part of the presentation. They are talking about putting in western red cedars, they are dying all over the place. Deciduous trees can replace their leaves, which is not true for conifers. There is a loss there in heat waves. A person was worried about a more rainy climate. With only three years out of the past 20 coming close to average rainfall, I think heat is more the issue. Yeah, sorry, I want to know where the funding is for the maintenance of these mature trees. I fear more trees will be lost by root compaction, disturbance from development, anytime there is a choice between infrastructure and water and sewers, trees seem to take a backseat. City bureaus don't agree about relations having to do with trees. Changes to the tree code are consistently delayed. Developers concerns take front row. A misleading questionnaire the city used about this duplicitous plan, it's duplicitous because of the exceptions for tree removal, its right there folks, just read it. Only asked about views on additions, nothing about losses. It implied being able to have one's cake and eat it, too. It's reminiscent of the marketing done in the past Portland plan. Rundown areas magically transformed. It's been a decade; I don't see the results. City bureau should be neutral. This is a manufactured need. This is selling Portland or helping to sell Portland rather than taking care of its residents. Not having an option to leave the park as is in the questionnaire is manipulative and guarantees an agency-desired outcome. As someone who values democracy, I find it disgusting. Why heat up with hard scaping the only green space in downtown and so many with subsidized housing. Shouldn't we honor the living. Shouldn't we be honor them. They need more parks and trees. Why the hell are we spending millions on this? The city allowed a wealthy developer to do an end run around regulations, regulations that were put by public input by paying what amounts to have been a fine. Then the design commission, a non-elected body, made statutory restraints made with only public member directed where that money should go. This decision needs a revamp, maybe a focus on keeping people during alive during climate change. Willamette week as a fine article this week. More public health and environmental representation on decision making boards. Maybe we need an environmental bureau rather than a little bit at parks and recs and a little bit at the water bureau. Maybe we really need to get serious about our environment. Thank you.

**Clerk:** Fred Leeson.

**Fred Leeson:** Hello, my name is Fred. What we are seeing today is the sad denigration of one of our most beautiful and historic parks by special interest groups that have limited interest in the park and its peaceful ambiance as a whole. Portland state university wants to use its adjoining blocks for its benefit. Portland farmers market has little concern for the park other than selling its products. The bicycle lobby has little interest for the park other than creating an invasive bicycle route. Even the Oregon historic society was interested in an event space on Madison street that hopes will funnel paying customers into the ohs. The only good that comes from this project is the detailed inventory of what the park once was and what it always should be. This information will be invaluable when wiser heads in the future years take revisitation to the south park blocks that we damage willy-nilly today. I believe the current plan that you will vote on and probably approve will be remembered as a very sad chapter. End of my testimony. Thank you.

**Clerk:** Next three are Cathy Tuttle, Mary Vogel, and Sue-Del McCulloch.

**Cathy Tuttle:** Hi, commissioners and mayor. I am Cathy Tuttle. I am a city planner and on the city staff and project manager for more than 40 Seattle park developments and then became a climate equity and safe streets advocate. I moved from Seattle to downtown Portland two months ago. I need to be able to walk or bike to the places that I need to go. I don't want to live in a city that forces me to drive to meet my daily needs. My e-bike keeps me independently mobile and if there are safe routes and walking and biking, that's great for my physical health and mental wellbeing. I love the idea of a people first green loop downtown and a lengths green ring on the east side. They are a down payment to a livable future. I know you mayor and commissioners are seeing cities all over the world transform almost overnight with car lite streets and public centered public spaces where we can safely travel, meet each other, and build meaningful relationships. This south park blocks plan is a start. As a former park's planner, I know how hard it is to maintain and upgrade a park with a community process and there is some serious maintenance issues that need to happen within the south park blocks. I sincerely hope that you continue to support a city that supports all of us. Healthy public space really can bring us together. Please support this plan, but also use this plan as a way to support and build the green loop and the east Portland green ring. Thank you.

**Clerk:** Mary Vogel.

**Mary Vogel:** I had actually asked to be taken out of the testify list because of my hearing disability. I have not been able to hear or see people's lips during most of the testimony. It's just too exhausting for me. And I did send you a testimony, a written testimony as well. I am not going to repeat that. I am Mary Vogel. I have been a member of several bicycle groups for many years now, certainly for bike loud pdx, one of the more radical groups. We do not necessarily support this plan. I don't know anyone in it who does. But I am a very big fan of the green loop. I in fact, it was my blog, children and nature belong downtown, that they took the idea from. But I have to say that I do not support the plan as currently shown because I want to see all of the bicycling and other, you know, forms of transportation or of active transportation moved on to the roadway, and many of the cars moved off instead. It needs -- it very much needs a redesign and one that gets a lot of the concrete out of there and does not damage the trees like, you know, they claim it won't, but I do believe it will. I have been a tree planter for many, many years, and also related to urban forestry for many years as well. So I just -- you know, have to ask you to take a second look and get the green loop part or at least the bicycle, scooters, etc. Out of the major part of the park. I know, you know, children may not find it easy to use the streets, but we have to make that happen. We have to do that by design. Thank you very much.

**Clerk:** Sue-Del McCulloch.

**Sue-Del McCulloch:** Hi, there. Good afternoon. Mayor wheeler and commissioners, thank you so much for all of your time on this and for listening to let's see, 53 people. I am glad to have an opportunity to speak with you. My name is Sue-Del. We have been frequent users of the park blocks as many of those who have testified, I have a long relationship with the park blocks myself as a student, as a public health employee back when there was a public health down on the PSU campus, as a federal employee and longtime downtown employee and living near the park blocks etc., participating in both the north end and the south end farmers markets. I think it's a very active and functional space as it is. One group I have not heard particularly speaking is parents. Alexander attended the preschool through PSU. It's a very diverse preschool. It serves a very large kids with all sorts of accessibility needs and they use that park. They used the calm of that park. They used the green space of that park in a way

that would not be possible with the addition of rapid bicycle. As long as we keep -- I understand the need for more bicycle lanes. I understand that goal, but I don't think it's at all possible to mix bicycles and pedestrians. If you look at the east side esplanade and look at the waterfront, it gets very difficult. I have seen children hit by bicycles on the waterfront. I believe that connecting better to the indigenous people's center will be very better. I believe that replacing some of the art work and expanding the honored artists and history of this place, it is not merely the history of since this particular park was designed, although I do believe that that is important, there is also the prehistory of this park and that needs to be part of it. However, I would suggest that we need to continue to review this, continue to review the varied needs and I would urge you to vote against this current master plan, continue to accept input and not fix as others have said, something that is not broken. Look at the issues that need to be expanded. And if I can have just another 30 seconds for Alexander to say something.

**Alexander McCulloch:** Okay. Hello mayor wheeler and commissioners. First I would like to acknowledge the native people that the land of the park blocks was stolen from, you know? I have listened to the contributions and understand that more diversity is needed, but other than that this plan seems to be misguided. The biggest problem for me is trading trees for hard scape. Climate change is real and trees stop it. This plan seems to forget that by adding all of this concrete and stuff as we just saw with the heat dome, we are heating up and concrete does not help it. Trees do. Thank you.

**Sue-Del McCulloch:** Thank you very much for your time.

**Clerk:** The last three individuals are John Czarnecki, Kiel Johnson and Nick Fazio.

**John Czarnecki:** Good afternoon, mayor and commissioners. Can everyone hear me? Thank you. I am john. I am a member of the downtown neighborhood association, though today I am speaking for myself as principal of a downtown architectural practice and past chair of the landmarks commission. I have taught studio courses in architectural design and courses on urban and landscape history and theory. Today I urge council to vote against the fundamental idea of this master plan for the south park blocks. The proposed plan will compromise the significant urban poetic experience made possible by the existing park. It is a deceptively simple notion as opposed to cutting through nature with a walk down the center

of the park, we have the opportunity to our expression of nature in the central -- the opportunity to allow expression of nature to take the central role. It's an experience that's accessible to all. In fact, one could say that a fundamental expression of this type is universal simply because it is so simply physical. The park is not an object. It's length and sequence allows experience in time. A contemplative path that depends particularly on defining relationships between human beings and nature. Its linear and physical structure puts forth an experience that can only be appreciated over the time it takes to traverse and appreciate the past defined by that center. The notion may be universal but has the opportunity for an experience at this scale that can be found nowhere else in this city. Please spend the resources dedicated to redesigning and implementing the park blocks master plan on other parks in genuine need of improvement. It's necessary to rethink the master plan assumptions and reinforce this unique fundamental understanding of people and relationship to nature in the park. Thanks for your attention and for your efforts on behalf of us all.

**Clerk:** Kiel Johnson.

**Kiel Johnson:** Hello, commissioners, thank you very much. Am I the last person to speak? Maybe? Second to last. Thank you very much. My name is Kiel Johnson and I am 35. I believe I might be one of the youngest person you heard from today. Several years ago I founded the friends of the green loop. Today I am representing myself. The friends of the green loop is leading the effort of the corridor, which we are excited about opening up soon. Yesterday I was painting the street at southeast park and Ankeny. If you get the chance, I welcome you to come by and take a look. I thank the mayor's office for getting that project over the finish line what I especially like about the green loop it makes steward of our largest space, managed by the bureau of transportation consider other ways and uses for that public space. It also forces our different bureaus to work better together for an overlapping multiuse path. This project is a sensible reorientation of our streets through people. I urge you to pass it and fund it. I also ask you to pbot to implement a low cost solution until permanent funding can be found. Our transportation agencies have almost always prioritized the speed and access of automobiles. After our climate induced heat wave last week, we have slowly realized this is not the best way to do things. Our city agencies have been figuring this out faster than our state ones as well, but we are all in a process of transformation. Passing and funding the south park blocks

plan is a way we can continue to speed up this transformation. My one criticism of this plan is that it has taken too long and spent too many city resources countering misinformation. I say this not to diminish or take away from the all the people who worked on this plan, but because I want more of our city to feel the benefits of our public spaces. We need systems that make it much faster and easier for people to put our street space to more joyful, beautiful, universally accessible, and productive purposes. We have been so successful with our business plazas, which have saved countless businesses and will allow our city to rebuild faster after the past year and a half. We need an easier process for people to reclaim street space for people that will continue to build on the diversity and perspectives that this project team was able to bring in. What's the process live out in Lents where temperatures on the pavement reached 124 degrees and I wanted to turn my street into a forest. To all of those spending countless spreading misinformation about trees in this plan, I ask you to spend equal energy to plant trees there. Thank you very much.

**Clerk:** Last is Nick Fazio.

**Nick Fazio:** Last but not least. I live in northwest Portland off the streetcar line. Me and my husband go to the farmers market almost every Saturday morning. The park blocks are not just a big part of where we spend our time, but how we feed ourselves. I am queer, Latino and millennial. I am happy to serve the community. There has been a lot of white noise and misinformation and obfuscation and co-opting and messaging being heard in public testimony heard today. I will make three main points. First, is that city staff, Tate and Barbara in particular, but everyone really, delivered on providing a thorough process that was transparent and engaging and provided open channels of communication. They brought together a variety of perspectives, including from people who have traditionally not have a central role in planning efforts like this. I hope you feel the gratitude that I feel for them. Secondly, I want to lend my support to the plan itself and specifically to the green loop. It elevates and reimagines who the park should serve and how, supports increased active recreation and non-automotive transport. The plan isn't perfect. I don't think it went far enough to be honest. That's probably a good thing because it's not just my park, but a park that needs to serve a lot of people. From that perspective, it's a reasonable and practicable plan. Finally, I am both a planner and historic preservation officer for a local community, I am

confident this plan is capable of providing historic features of the park. I have to say, many of us, especially those that are younger, bipoc or queer will not support colonial forms of historic preservation that maintain primarily white owning privilege through the neighborhood associations moving forward. If policy makers such as yourselves don't embrace a more inclusive -- the preservation movement will die completely instead of doing what it needs to do which is protect future generations. I have provided written testimony that goes into more detail for you as well. Thanks.

**Wheeler:** So I believe that concludes testimony for today. Is that correct, Megan.

**Clerk:** Yes.

**Wheeler:** First of all, let me thank everybody who took the time out of their afternoon to come here and testify. We are short one commissioner. Commissioner Rubio, I will defer to you on our next steps.

**Rubio:** So I think that our plan earlier to wait until we were able to have Commissioner Hardesty back for a vote would be appropriate. I like the idea of keeping the record open if that's okay with my colleagues.

**Wheeler:** Yes. And how long would you like to keep the written record open for?

**Rubio:** I am open to your suggestions and defer to your experience on this?

**Wheeler:** What has been suggested to me is to keep the written record open through the weekend. So unless legal counsel has any objections, what we could do is keep it open through 5:00 p.m. On Sunday, July 18th.

**Farley:** No objections. It's at your discretion how long to keep the record open.

**Wheeler:** Okay. Alternatively if you want, would we do this as a time certain next week or put it on the regular agenda on Wednesday?

**Clerk:** We can do both, but I think the regular agenda would be fine.

**Wheeler:** Why don't we do that. Why don't we put this on the regular agenda Wednesday? I don't have any problem with keeping the written record open until the beginning of that meeting unless somebody else sees a reason why we shouldn't.

**Rubio:** That's fine with me, Mayor.

**Wheeler:** Let's do that then. Let's say the written record will remain open until 9:30 a.m. So the oral record is closed. The written record will remain open until 9:30 a.m. On Wednesday,

July 21st. And then Megan, you will make sure that we get this on Wednesday's regular agenda, is that correct?

**Clerk:** Yes, thank you.

**Wheeler:** Okay. Good. That's efficient. So stay tuned, folks. I learned a lot today. I heard a lot of great testimony. I appreciate the detail that went in both to the presentation as well as to the comments that were made today. I took pages of notes. Thank you all and I look forward to seeing you all soon. Until then, we are adjourned.

**At 5:45 p.m., Council adjourned.**