



July 21-22, 2021 Council Agenda

5618

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 and Channel 30. The public can also provide written testimony to Council by emailing the Council Clerk at cctestimony@portlandoregon.gov.

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

Email the Council Clerk at councilclerk@portlandoregon.gov with any questions.

Meeting Records

Disposition Agenda

Audio Recordings

Wednesday, July 21, 2021 9:30 am

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: Adrienne DelCotto, Deputy City Attorney; Linly Rees, Chief Deputy City Attorney; Keelan McClymont, Council Clerk

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

Council recessed at 11:30 a.m. and reconvened at 11:39 a.m.

Council recessed at 12:32 p.m.

Communications

569

[Request of Catherine Thompson to address Council regarding the South Park Blocks Master Plan](#)

(Communication)

Document number: 569-2021

Disposition: Placed on File

570

[Request of Nathaniel Lufian to address Council regarding the building management at Vera Riverplace Apartments](#) (Communication)

Document number: 570-2021

Disposition: Placed on File

Time Certain

571

[Adopt the Americans with Disabilities Act Title II Public Right of Way Transition Plan](#) (Resolution)

Document number: 37543

Introduced by: Commissioner Jo Ann Hardesty

Bureau: Transportation

Time certain: 9:45 am

Time requested: 30 minutes

Disposition: Adopted

Votes: Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

572

[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: 10:15 am

Time requested: 10 minutes

Oral and written record are closed.

Previous agenda item 567.

Disposition: Findings Adopted

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

Votes: Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

Consent Agenda

573

[*Amend contract with Central City Concern to increase amount by \\$1,308,757 to provide additional Campsite Impact Reduction Services \(amend Contract No. 30007363\)](#) (Emergency Ordinance)

Document number: 190499

Introduced by: Mayor Ted Wheeler

Bureau: Division of Asset Management (DAM); Management and Finance

Disposition: Passed

Votes: Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

574

[*Authorize participating agreements to procure vehicles for estimated amount of \\$24 million](#) (Emergency Ordinance)

Document number: 190500

Introduced by: Mayor Ted Wheeler

Bureau: Division of Asset Management (DAM); Management and Finance

Disposition: Passed

Votes: Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

575

[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

Second reading agenda item 554.

Disposition: Passed

Votes: Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

576

[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

Second reading agenda item 555.

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

577

[Proclaim January 2022 to be Portland Music Month](#) (Proclamation)

Document number: 577-2021

Introduced by: Mayor Ted Wheeler; Commissioner Jo Ann Hardesty; Commissioner Mingus Mapps

Time requested: 30 minutes

Disposition: Placed on File

578

[*Pay settlement of the Estate of Terrell Johnson wrongful death lawsuit for the sum of \\$600,000 involving Portland Police Bureau](#) (Emergency Ordinance)

Document number: 190503

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance; Revenue and Financial Services; Risk Management

Time requested: 30 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

579

[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

Second reading agenda item 562.

Disposition: Passed

Votes: Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

580

[*Extend benefits currently provided to eligible members of the Fire and Police Disability, Retirement and Death Benefit Plan](#) (Emergency Ordinance)

Document number: 190505

Introduced by: Commissioner Jo Ann Hardesty

Bureau: Fire and Police Disability and Retirement

Time requested: 15 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

581

[*Authorize eight grant agreements and intergovernmental agreements related to the Community Watershed Stewardship Program for a total amount of \\$100,000](#) (Emergency Ordinance)

Document number: 190506

Introduced by: Commissioner Mingus Mapps

Bureau: Environmental Services

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

582

[Authorize the Bureau of Environmental Services to acquire certain permanent and temporary property rights necessary for construction of the Portsmouth Force Main Valve Vault Monitoring project through the exercise of the City's Eminent Domain Authority Project No. E10735](#) (Ordinance)

Document number: 190521

Introduced by: Commissioner Mingus Mapps

Bureau: Environmental Services

Time requested: 10 minutes

Disposition: Passed to second reading

Passed to second reading July 28, 2021 at 9:30 a.m.

583

[Authorize a competitive solicitation and price agreements for site work, erosion control and planting on behalf of Portland Parks & Recreation for amount not to exceed \\$8 million](#) (Ordinance)

Document number: 190522

Introduced by: Commissioner Carmen Rubio

Bureau: Parks & Recreation

Time requested: 5 minutes

Previous agenda item 526.

Disposition: Passed to second reading

Passed to second reading July 28, 2021 at 9:30 a.m.

584

[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 requested: 30 minutes

Previous agenda item 568.

Disposition: Adopted

Votes: Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

585

[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

Second reading agenda item 564.

Disposition: Passed

Votes: Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

586

[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

Second reading agenda item 566.

Disposition: Passed

Votes: Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

Wednesday, July 21, 2021 2:00 pm

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: Naomi Sheffield, Senior Deputy City Attorney; Keelan McClymont, Council Clerk

Council recessed at 2:44 p.m.

Time Certain

587

[Adopt the Columbia Lombard Mobility Corridor Plan and its recommendations](#) (Resolution)

Document number: 37545

Introduced by: Commissioner Jo Ann Hardesty

Bureau: Transportation

Time certain: 2:00 pm

Time requested: 1 hour

Disposition: Adopted

Votes: Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea

Thursday, July 22, 2021 2:00 pm

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.

Officers in attendance: Lauren King, Deputy City Attorney; Megan Lehman, Acting Council Clerk

Council adjourned at 2:50 p.m.

Time Certain

588

[Consider proposal of 340 NW Glisan for Demolition Review and Adjustment Review approval, and Bureau of Development staff recommendation for denial, for a contributing building, the Old Blanchet House at 340 NW Glisan Street in the New Chinatown/ Japantown National Register Historic District \(LU 21-029602 DM AD\)](#)

(Report)

Document number: 625-2021

Introduced by: Commissioner Dan Ryan

Bureau: Development Services (BDS)

Time certain: 2:00 pm

Time requested: 1 hour

Previous agenda item 527.

Disposition: Continued

Motion to reject any testimony received after the record closed on June 30, 2021: Moved by Hardesty and seconded by Ryan. (Y-5)

Motion to tentatively approve application for demolition and an adjustment with the conditions as proposed: Moved by Ryan and seconded by Hardesty. Vote not called.

Written record is open until Tuesday, July 27, 2021 at 5:00 p.m. for testimony related to the proposed condition. Testimony submitted that is unrelated to the condition will be rejected by Council.

Continued to July 28, 2021 at 10:15 a.m. Time Certain.

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 21, 2021 9:30 a.m.

Wheeler: This is the Wednesday July 21, 2021 morning session of Portland City Council. Keelan, please call the roll.

Clerk: [roll called]

Wheeler: Under Portland city code and state law the City Council is holding this meeting electronically. All are joining by video and teleconference and the City has made many avenues for the public to listen to this meeting. It's available on the City's YouTube channel, www.portland.gov, and Channel 30. The public can provide testimony by emailing the Council Clerk at cctestimony@portlandoregon.gov. The Council is taking these steps due to the pandemic and promote distancing. The pandemic is a public threat to the health and welfare and requires us to meet remotely. Thank you all for your patience and flexibility and understanding as we manage through these challenges to conduct the City's business. With that we'll hear from legal counsel on rules of order and decorum.

Adrienne DelCotto: To participate in Council meetings, you may sign up in advance to briefly speak about any subject. You may also sign up for public testimony on resolutions and the first reading of ordinances. There is information on this on the agenda. Your testimony should address the matter considered at the time. Please state your name for the record. Please disclose if you are a lobbyist or representing an organization. The presiding officer states how long the testimony is. Participants generally get 3 minutes. When time is up the officer will tell you it's time to conclude. Disruptive behavior is not allowed. If there are disruptions a warning will be given and can result in the person being placed on hold or ejected from the meeting. All Council meetings are recorded.

Wheeler: First up with communications, Keelan item 569.

Clerk: Request of Catherine Thompson to address council regarding the south park blocks master plan.

Wheeler: Good morning.

Catherine Thompson: Before I begin I would like to ask if you have in front of you the tree inventory from the south block parks master plan that I submitted to you for this communication?

Wheeler: We have it.

Thompson: Great. Okay. First I'd like to thank you and your staff to meet repeatedly. I'm back with new research findings. I do not live in the south park blocks, I first became interested in the canopy because of the spectacular beauty as I study a grove of elms and the role that the deciduous trees play in the park. I've heard the trees themselves described as colonizers. I was curious if they found the trees planted by white settlers to be traumatic for her. She spoke about the spirits of the grass that was being replaced by astro turf. We want to support the trees that are there, they are relatives. I hope the master plan includes some language about tree preservation. That's what I want to talk about today. We must support the trees that are there. The south park blocks trees done in conjunction with the master plan provides a road map. 121 require pruning. That's close to 25 percent of the planting. Some are young and need pruning to encourage strong growth form for a long life. Sadly tree number 79 requires pruning is now a stump. I encourage you to dedicate funds from our parks bond to pay for recommended pruning for the health and safety of the canopy this year, I urge in future budgets that major funding be shifted for ongoing maintenance fees for our major parks and canopies. Finally I ask that before you implement the plan, you speak to the people who live on the west side of block eight. Subsidized housing, I mean. They knew nothing about the master plan. They said the parks department takes good care of the old trees with injections. May it continue to be so to care for our silent relatives. The trees. Thank you.

Wheeler: Thank you, appreciate it. Next individual please, item number 570

Clerk: Nathaniel Lufian to address council regarding the building management at the river place apartments. We received a request that they are canceling.

Wheeler: Very good. Let's move to the consent agenda please. Have any items been pulled off of the consent agenda.

Clerk: No requests have been made. (roll call)

Wheeler: The consent agenda is adopted. We cannot yet move to the time certain items. We'll move to the items on the regular agenda item 577

Clerk: Proclaim that this be declared January 2022 to be Portland music month.

Mapps: We all know that covid had a devastating impact on our arts and music industry. Concerts were cancelled and concert halls closed. That's begun to change. Portland is recovering from covid. You can see and hear music again. Celebrate our city's diverse music scene and recovery from covid. Music Portland bridge, the non-profit arm of Portland's music. Making it a better place to work in music. We're issuing this proclamation well before January so they have time to organize the concerts. Music part land will be working with artists, music industry leaders and use corporate partners and the media to pull together this remarkable collection of concerts. If your organization would like to participate, I encourage you to reach out to music Portland through their website. I believe we have some invited testimony today. I'll turn it over to our invited guests.

Meara McLaughlin: That reputation derives from the fact that precovid we had more than three hundred spaces that regularly hosted live music, from wine bars and bobbies. We have 700 music businesses. Unique recording acts that published new music on their system in the five years between 2014 and 2019 alone. Tens of thousands of local musicians, studios producers, mixers, masters, media production businesses make summer all of their income from professional music profession. It's a key part of our local music success. They can only be innovative because they're open to new sonic ideas. 1200 popular music per month and many more didn't make it onto the weeklies. And before music Portland launched in late 2018 to assess and strategically advocate for all parts of our music industry there was no way to support this cultural an economic ass set. Now three years later united Portland is the voice of Portland music. They cannot sustain or grow the value alone. They've been given life through the cooperation of government agencies, the private sector and above all this city council. I want to publicly acknowledge that this city council has been a creative partner in specific ways. We want to go on record to thank you. We first want to thank mayor Wheeler for

proposing and each of you for passing to go create a grant fund for professional artists and stabilize music Portland to continue our work. I want to thank all of you it become the office of film and music. Currently this a change in name only until we can build a funding strategy, this office can and should support both of these valuable production acts. They continue to meet with many of our teams to discuss policy priorities. Your accessibility and approaches mean more than you can possibly know. On behalf of the entire music community and fans, I want to thank commissioner Mapps and Hardesty to make January Portland music month. A month long celebration makes perfect sense. Building on this proclamation we can create an annual never to be missed event and attract tourists and attract our remarkable city. It's a city-wide promotional campaign to celebrate and activate local artists, venues, hotels and restaurants and who doesn't need a boost in the winter. Repopulate the music grant fund by supporting music fans. On behalf of tens of thousands of music professions and artists we sincerely thank this council for recognizing the value and potential for music in our city as both an economic driver and imperative. Thank you very much.

Wheeler: Thank you, well said. Commissioner Hardesty.

Hardesty: I'm almost afraid to add anything after that very eloquent presentation. Let me just say as the council self-appointed music commissioner, I'm really excited to support this resolution today. In fact, as we were preparing for today, I really started thinking about my own music journey and the city of Portland. I'm so grateful that I had the privilege and pleasure of knowing some world renowned musicians that called Portland home. I was thinking about the first time I heard Lee Beniker play. What a Portland thing that was. This is somebody that played on world stages and was so relaxed in Portland and regularly entertaining us. A lot has changed in the music industry in the 30 plus years since I've moved here. Many of the legends are no longer with us. Their music still stays with us. They are no longer with us. We need to do better at finding venues for musicians today. And we need to make it easier for young people to be able to gather and enjoy music. I'm hopeful with this elevation that we collectively can start talking about what does it take to make live music available all over the city of Portland. The last thing I'll say is the jazz festival is one of my favorite things to participate in. We in fact, are doing a disservice to young people today when we think about the legends I've had the privilege to hear and the lack of access to live

music for young kids today, it makes my heart break for the fought you're. How many people 20, 30 years from now will remember all the incredible artists who called Portland home for so long. We didn't actually open it up. I'm looking forward to building a strong partnership to ensure that your income doesn't decide your access to live music in Portland. Thank you.

Wheeler: Thank you commissioner Hardesty. Commissioner Mapps, any other invited testimony.

Mapps: I want to double check on that. Anyone one else here today?

McLaughlin: Nope. Just me.

Wheeler: Colleagues any further comments before I share? Commissioner Ryan.

Ryan: Thank you commissioner Mapps and Hardesty for bringing that forward. That was amazing testimony. One thing that stuck out for me was reminding me that there are over three hundred spaces to provide music in the city. That shows the capacity and the opportunity as we come back and hear music in our venues again. I'm pleased we have the film and music in our leadership. It's really a game changer to have your organization in support with the city.

Wheeler: Thanks, Commissioner Rubio.

Rubio: Thank you for bringing this proclamation forward. Thank you, mayor for all the work you do. You're a very effective advocate for the sector. I know a lot more in part due to the work you've done with us to educate us as well. I can't tell you how excited I am about return of music. Music is really the soul of the city and brings us together in connection and celebration with community. Even during the pandemic, they brought healing and resiliency to all Portlanders through recordings and live digital shows. That was an important part to keep us manufacturing forward with the city. There's no better way than get willing together and listening to music to go. I'm looking forward to the opportunities that the office brings. Musicians and organization to lift up this vibrant sector. Thanks for all the work that you do.

Wheeler: Thank you. I want to add my thanks. You spoke eloquently on behalf of all of us after spending thirty years in business development, she decided to dedicate herself to the music industry here in the city of Portland. She spends countless hours working with those in the music industry to promote vendors and the music industry during the very challenging covid pandemic. I would like to thank commissioner Mapps and Hardesty for cosponsoring.

Strengthening the fabric of our amazing community. With that I'll read this proclamation. Whereas we've earned a national and international reputation as a music city. Thousands of individuals recording across all genres and styles, including hip hop, jazz, metal, electronic and everything in between. Whereas, Portland is home to nearly a thousand music businesses including instrument gear manufacturers, studio professionals, music companies, agents, booker, artist support services and hundreds of venues and other spaces where live music entrepreneurs each and every week. Whereas, unlike most unrecognized music cities, Portland's music industry is resilient and eager to safely get back onto the stage. Whereas, the month of January 2022 will mark the next big chapter definitively turning corner on our year without music and embracing the next chapter of our story. Throughout January 2022 artists will host hundreds of live music around the city. The first opportunity for thousands of music lovers to experience live music agree. It's not enough to simply performing on stages where equities and biases limit which artists can perform and which audiences can enjoy live music free from harassment. Whereas, as city commissioner one sense there's nothing. Portland music month and encourage all residents to observe this month. Thank you all.

Clerk: Adopt the Americans with disabilities act public right of way transition plan.

Wheeler: Commissioner Hardesty.

Hardesty: The American disability act title two public right of way transition plan. Portland is a diverse city. People with disabilities are an important part of that diversity. One in four adults in the U.S. And Oregon identify has having a disability. There are many categories of disability but immobility is the most prevalent. We lack forward it a city where there's barrier free access to medical point of impacts, education, shopping, fitness, and social interactions. And barrier free access benefit all community members. It's an important point we must remember. Especially since in the plan outreach meetings government and businesses meeting the needs of people with disabilities feels like an afterthought. Moving this work forward it's a priority. At this time, I'd like to turn it over to PBOT director Chris Warner.

Chris Warner: Good morning commissioner thank you. I'm going to start my presentation doing something slightly different today. Lisa Strader, who will be speaking after me, has taught me, it's helpful to be more inclusive for blind listeners if the speakers describe themselves when speaking. I'm a white man with glasses and short brown hair. Today I have a

checkered shirt. Thank you Council for our support of our ongoing work to help Portlanders get place to place, easily and sustainably. Since 2018, when City Council approved the consent decree PBOT has been hard to work to bring our 38,000 curbs up to standards. The different between a city with accessible curbs and those without, is a City that affords it's residents with the ability to live their lives to the fullest. With your help we're building that kind of city. We've removed three thousand barriers to mobility. The legal team will provide you more background on the state of the consent decree. For now, here are a couple of highlights. This plan if adopted by you today charts the future of transportation accessibility. It allows you to build upon curb ramps. We conducted multiple online open houses in partner with the city budget office. We conducted over three hundred stakeholder surveys. A forward looking plan an ensuring that it is equitable and accessible. Thank you for your time this morning. I'm going to turn it over to Lisa. She is our ADA coordinator. Take it away.

Lisa Strader: Thank you so much commissioner Hardesty and director for your introduction for accessibility today. I'm the ADA coordinator. I'm a white woman with straight long hair. I'm looking forward to telling you more about the transition plan. I want to introduce the City's represent and program manager of our ADA civil rights education an enforcement center. It's a requirement of our broader descent decree. I'm going to share my screen for the benefit of both of our presentations.

Eva Huntsinger: Thank you. Good morning. I find serendipity is at work here. You just pass an ordinance making January Music month, but there isa very interesting significant movie called the Music from Within, based here in Portland and it describes a real story about Portlanders being advocates for those that fall under the umbrella of now the Americans with disabilities. Here we are. You start with a music ordinance and we talk about ADA from within. I'm a brunet. I like to think I'm tanned. I'm wearing a blue dress that they tell me help eyes pop. I'm with PBOT. I'm proud to serve as the ADA program manager. We call that settlement agreement the creek settlement agreement. I'm here to provide you with some back grown on the progress with the city's work in making the right of way accessible for all in compliance with the Americans with disables act. With me, is Mr. Tim who represents the settlement class and is lead Council for the Civil Rights Education and Enforcement Center and our Senior Deputy City attorney is on the line. In the summer of 2016 the city was approached by creek

saying we need to provide more improvements as required by the Americans with disabilities act in order to make Portland a more inclusive city accessible for all. Operating from our commonly evoked value we came to a settlement agreement. Further invest in removing barrier it safe and equitable access for fellow Portlanders with disabilities. The settlement agreement requires performance of nine categories over 12 years starting July first, 2018. Installing and fixing 1500 curb ramps each year, annual reporting to the federal courts. The city is on track for all nine categories and our performance is being monitored by the federal district court. We wish to acknowledge the willingness and collaboration and support. Now Tim Fox will go over the agreement and its relationship to the transition plan and our overall performance to date.

Tim Fox: Good morning. I am the co-executive director of the civil rights and enforcement center. I am a middle aged white male with blonde hair and I use a wheelchair. We have submitted a letter in support of the curb ramp revisions in the transition plan. Let me give some added context here. I was last before this commission in 2018 in support of this consent decree. One of the things I testified to at the time is the process of working with the team on a fairly complicated consent decree was smooth because of the commitment to the team. We've had almost three years on implementing the consent decree. The consent decree has many provisions that on average there will be 1500 curb ramps installed. When Portland engages in alterations like resurfacing on streets will work on curb ramps and intersections where they do not exist. It also has provisions for a request lane for people who call up an request specific ramps as well as several other requirements. The consent decree be consistent with the transition plan. The deadline has been met; the consent decree provisions are in line with the plan. We testify in support of this commission in approving an implementing the transition plan. Happy to answer any questions you all may have.

Hardesty: Sorry. My hand was not up.

Wheeler: All right. I don't see anyone else with their hand up. Did have you more for your presentation?

Huntsinger: I would like to say thank you for your collaboration and support to making Portland accessible to all. The letter of support that is now on our screens as representatives of the settlement class is very much appreciate. It's been a pleasure. I'm not saying it's been

easy. We all have the common goal and purpose to make Portland accessible for all, we figure out a way. I personally and professionally appreciate you, Tim, and your entire team. Everyone at PBOT. BTS is right there with us. Water bureau. Working with forestry so we can address tree roots so folks can still get around. It definitely has been a global city-wide effort. Thank you.

Hardesty: If I may add. Thank you also Eva. You took the words out of my mouth much more eloquently than I could have said. The willingness to collaborate with us. All of us would have liked to have this work done a decade ago. We're making such significant progress. It's to the credit of Lisa and Chris Warner and the incredible leadership that we've come as far as we've come. This letter of support reflects that this has been a labor of love. We're getting the results we need. Thank you all for the great work. Mayor, I'll turn it back over to you.

Wheeler: If there's no other comments or questions at this time.

Huntsinger: Excuse me. Lisa has her presentation to give an overview of the transition plan. It only takes a few minutes and I think it will be well worth our time.

Strader: Thank you very much for being here. This is the ADA coordinator. I'll be providing the color, content, and photos to make this as accessible for everyone involved. We're here to talk about ADA's title two update. I have four photos that represent transition plan elements. The upper left-hand corner is a manual wheelchair user about to cross the intersection. In the left-hand corner is a close captioner similar to what is being provided to us in this meeting. Related to what a transition plan really is and who is required to have one. I have a theme color in my slides. It's a bright blue. I have three softened rectangular boxes across the middle of my screen here. A transition plan is required by any state or local government with 50 or more employees. We'll identify how that entity will make everything they are responsible for accessible to everyone. The transition plan for the public right of way may make it seem like there hasn't been a consideration prior to now, those elements have actually been in the city's transition plan since 1993. Commissioner Hardesty actually mentioned a statistic about one in four U.S. adults in the U.S. And Oregonians. She also mentioned that mobility is the most common type of disability. This slide has a dark blue banner on the side. Shows three people crossing the street. We have a pedestrian standing and an electronic wheelchair user representing the mobility that's challenging. We were able to release the transition plan draft last August 25th. This slide is a representation of the timeline of our transition plan outreach

and the engagement that we did. The dark blue timeline at the bottom is under some more details about that engagement. We did release a fully engageable plan to the agencies that serve people with disabilities. Specific organizations that have community members with disabilities. We had an almost three month public comment period, six open houses, we offered presentations to any of those organizations that wanted us to come to one of their meetings or hold a special meeting, we did 13 of those. We have an interactive website the entire time and survey. Today we are at Council with a plan based on the comments we've received. I wanted to share some of the comments we received from our outreach, this is not an exhaustive list. I'm going to have a title banner on the left that's bright blue and I'm going to read each of these. 1. A proactive sidewalk policy. We also heard of wanting to be consulted before, during and after projects. There were a lot of comments about the schedule to complete the plan. A lot of support for equity in the underserved areas of our city. A Request for increase in accessible parking. A lot of comments about transit and I'm happy to have TriMet here as a partner to give testimony after mine related to how both of us support accessible transit stops and transit. There was an interest in good coordination between PBOT and other city bureaus. There was honestly a lot of conversation about safety, which by itself isn't a transitions plan requirement, but without safety, accessibility is at risk and vice versa. A lot of comment about cars parked too close to corners. Lighting and consistency of people knowing what to expect. A communication about what's available on our website. And then other uses of the sidewalks, so think some of the temporary uses we've been seeing and seeing more because of covid. Transition plan is required to have certain elements. I have a dark blue banner at the top of this slide and in the middle rectangles with a blue shadow behind them. The transition plan has to identify barriers and policies and practices. Including how we are going to remove those. It needs to name someone responsibility for doing the work. It has to provide a complete process. It has to identify schedule and budget. Our plan we believe has all of those elements. As it relates to the public right of way, and to give more perspective on what that looks like for people, means PBOT is responsibility for accessible curb ramps, sidewalks, parking, transit stops, and overall full program access. Access to everything PBOT does. Quickly I have some slides with photos that will give a better perspective on compliant elements. All of these have a dark blue banner at the bottom. This

slide is on the left a compliant curb ramp, a photo with two curbs on both sides. The photo on the right is a man in a wheel chair on a ramp that doesn't have adequate turn area. This slide is of a non-compliant pedestrian signal on the left. The gentleman stepping up on a platform to reach that signal. The photo on the right is of a person that can get right up next to the signal. Our third example I have is compliant sidewalks.

Hardesty: Can wait for a second? Christy, I see you found your mute button.

Strader: Sidewalks that were not compliant before. I mentioned access a couple of times. That may be a phrase that's not completely familiar to people. I would like to quickly run through that. The medium blue full access means being able to get through. Fully accessible meetings. Not just being able to get into the room but being able to fully participate once you are there. We'll be implementing accessibility through the right of way for years. We review our policies practices and procedures. Collaborate on our planning and design of projects. We'll report annually, we have a transition website and move that to a place where we give annual updates. We will update the plan and review the entire document and ensure we are still on track. The way we described what we're going to do is still how we are doing it. Early actions, I mentioned at the 20 year implementation. We're going to continue to ensure the work in our projects is what with necessary to address the accessibility in those projects. We have a very robust asset management system; we know what we own but not all the features of what we own. We're going to update policies and one more time, we're definitely committed to engaging the community. How we incorporate accessibility into the work that we already do. My next slides have some element of a project in the planning phase. We're looking at what we need to do to make a system accessible. This rendering shows a level sidewalk being used by a wheelchair user, a sidewalk and safety for other pedestrians. This shows a photo of thirty third and grant. Our safe routes to schools' projects also address accessible. This is an intersection where we address the curb ramps and put in a nice crosswalk as well as pedestrian crossing signs. Just an example of a policy, we are currently updating our policy, two different user focus groups. People who use accessible parking spaces have met with us. We're adding spaces and updating the policy to define where we put accessible parking spaces. What we need and guidance for our projects and what are van accessible. With that I would like to conclude my remarks on behalf of the bureau of

transportation and people with disabilities request the council's adoption. I'm happy to answer any questions and I have two partner organizations hear today. I want to thank you so much for your time on the agenda today.

Wheeler: Thank you Lisa. If you still have invited testimony, let's do that first, we'll be done with the presentations and get to questions and public testimony.

Strader: Great. Thank you. I would like to introduce grant who is senior planner at the development department.

Grant O'Connell: Good morning mayor commissioners. My name is grant, I'm from TriMet. I'm the joint role of maintaining a long-term service vision and ensuring access to our transit network. TriMet joined PBOT and welcomes the title two ADA transition plan. We join the city in embracing accessibility for all the shared value and commitment. We like to say taking transit doesn't start when you step on a bus or train or street car. That experience starts at your origin and ends at your destination. Whether it's accessible can be the deciding factor for whether someone is able to actually partake in those services we provide. We partner and collaborate with the city to ensure the sidewalk and curb ramp network is part of the accessible network for all. We've adopted several plans to improve accessibility and those should work in concert for our plans. Pedestrian plan is still ongoing, we recently cataloged conditions out in the field and worked to address those. We greatly appreciated the opportunity to review and provide input on the staff. PBOT staff was remarkable in regard to their coordination of the plan. Also the cat committee. I'm in the sure if any of them are able to make it. I'm sure they are here in spirit and look forward to the adoption plan. I greatly appreciate the city's involving our cat committee. We're committed it working with PBOT to develop a shared work plan of shared removal of transit stops. To advance this work we've agreed to join PBOT for a quarterly meeting. We're prioritizing most of this funding in areas we've identified as historically under served as identified through our equity index. We'll work with PBOT to jointly and seek other funding to build better bus stops in pursuit of an accessible adoption for all. We look forward it our continued partnership on this issue.

Strader: Thank you very much grant. I would like to introduce lizzie. Our communications manager, please.

Izzy Armenta: Good morning. A privilege to be here. Oregon walks is an organization to ensure that walking and rolling is a convenient and accessible to everyone. The plan being presented today we believe making Oregon truly accessible for everyone. This plan can help us get there. There are so many great components in this plan that will literally remove barriers that limit access and we believe improve safety as well. As commissioner Hardesty said, we're all just temporarily abled. It's not just focus on infrastructure but works to improve access and programs. Coughing the whole spectrum. Here is one area that needs improvement. That is the current complaint base on addressing sidewalks. How sidewalks are reported and also repaired. The complaint basis is not where the need is but whoever knows the system exists in the first place and has the capacity to make a complaint.

Strader: That concludes the presentation from PBOT and the partner agencies. We're happy to answer questions.

Wheeler: Commissioners any questions at this point. Can you tell me if there's any public testimony?

Wheeler: Okay. I'm not seeing any immediate questions. Let's let that individual testify. Three minutes for the record.

Clerk: Albert Kaufman.

Albert Kaufman: Good morning. I'm actually here to talk about the parks plan. Sorry about that. That was my mistake.

Wheeler: Not a problem. We'll be getting to that in the not so distant future.

Hardesty: I move that we adopt the ordinance as presented.

Wheeler: It's a resolution. No motion is required. I appreciate the enthusiasm go ahead and call the role.

Hardesty: I want to be grateful for the hard work that got us to this plan. This is a plan that will benefit all Portlanders. I'm grateful for the leadership and partnership that got us here today. I want to thank tri met and parks that got us here. I'm happy to vote aye.

Mapps: I'm glad to see this project evolve and get better. That is why I vote aye.

Rubio: I want to thank commissioner Hardesty and the presentation and staff for bringing this forward. I want to thank the many community stake holders and advocates who put in all the

hard work on this project. We're talking about equity and disability justice. We're clearly behind on this work. We'll continue to make head way on this efforts. I vote aye.

Ryan: Actually, I was inspired by the testimony. I am a white guy. Middle aged beyond. I have, my hair is more silver than anything else. I have blue eyes with some big blue frame glasses. Purple shirt. I'm really taken with this testimony. Your opening that all of us is only temporarily able is important to keep at the front and center of our mind. The goal is about full participation, justice point that commissioner Rubio just made.

Wheeler: Thank you for the presentation. I vote aye. The resolution is adopted. Commissioner did you also want to add something. Very good. The resolution passes. Good presentation. Thank you everyone. With that we'll move to our second time certain item. Item number 572

Clerk: Consider appeal to propose with conditions a five-story mixed use building in the northwest plan district.

Wheeler: Commissioner Ryan.

Ryan: I don't have anything to, this is a hearing right?.

Linly Rees: It would be appropriate for a motion to deny the appeal uphold the decision of the design commission an adopt the findings.

Wheeler: Can I get a motion to that effect please. Uphold the decision of the commission an adopt the findings.

Hardesty: So moved.

Wheeler: Is there a second. I'll second. Any further discussion? Please call the roll.

Clerk: (roll call)

Mapps: I'd like to start out today by thanking the design commission, bureau of development services for their thoughtful work on this project. While I see an appreciate the concerns raised by the neighborhood association you will matily I agree with the analysis by bds which have concluded that this project complies with the relevant guidelines. That's why I'm voting aye on this proposal today.

Rubio: I want to thank the commissioners and staff for dedicating time for these hearing and preparing us on the basis. I want to thank staff and the NW district neighborhood association for dedicating their time and advocating what they believe in. It's clear to me that the neighborhood association has a deep, given the presentation, the findings in front of me that

I've heard, it seems that the project sufficiently met the requirements for this approval, what was a factor is that the design review was unanimous in the report. There was general agreement among the members who also care deeply about these things, their interpretation of the requirements were met and apply in this case.

Ryan: I too want to start off by acknowledging the neighborhood association and their concerns. I found that the unanimous vote and their thorough analysis is something I'm not going to get in the way of. I don't know if it's going to be a part of the design.

Clerk: Wheeler

Wheeler: I support this motion. I appreciate the feedback from the neighborhood association, particularly some of the design element. This is personal. I would like to see a more aggressive set back. That being said on the western exposure, it was made clear through the presentation that this design is consistent with the character of the immediate neighborhood. It is obviously appropriate to the zoning, there's no basis for us to support the appeal from my perspective -- this is an effort to improve that particular block. This block has been problematic for many many years. It is in my opinion in need of revitalization. A strong plan has been brought forward that will activate north west twenty third. I want to thank those involved in this. The appeal denied. The decision of the design commission is upheld and approved in the findings are adopted. Anything else that we need to do on this?

Rees: No, mayor.

Wheeler: Thank you. That meets that item. We have done the consent agenda. We are back to the regular agenda. Item number 572.

Clerk: Pay settlement of the Estate of Terrell Johnson wrongful death lawsuit for the sum of \$600,000 involving Portland Police Bureau.

Wheeler: I will turn this over to Dan to give a brief overview of the case.

Mapps: Mr. Mayor if I may, I'd like to jump in with a disclosure and a question for the city attorneys. I feel like I should let the Council know that I happen to know one of the relatives his uncle who recently I've had them do some repairs at my house. His uncle worked on those repairs at my house, I have no direct financial connection to the uncle, I worked with Pro Build and he was one of their employees or sub-contractor. I think his uncle has been to my house

four or five times and on one case we did discuss the case for some time. My question to the city attorney is should I recuse myself from this case.

Robert Taylor: I believe based on how you have described that, you would have in the abundance of caution, you could declare a potential conflict of interest on the record, with that declaration, you could participate in the decision.

Mapps: Colleagues, I'll declare a potential conflict of interest on this. If anyone would like me to recuse myself I would be happy to recuse myself on this.

Wheeler: I'm satisfied with the declaration and I appreciate it. Very good, so with that we will turn it over to attorney Simon.

Dan Simon: Thank you commissioners. With me are two other attorneys. The following is a brief summary of the facts in this case. This case involves a May tenth foot pursuit by a Portland police officer that resulted in the use of deadly force. As part of the dispatch communications there was some confusion about whether the officer knew or should have known about Mr. Johnson had a weapon. When the Portland officer arrived on the scene. When the Portland police officer approached Mr. Johnson turned and ran. The officer engaged in a foot pursuit that went across the tracks. The suspect was armed with a utility knife. When Mr. Johnson turned the officer saw the knife and tried to back up to create distance when he tripped and fell backward over a curb. When Mr. Johnson continued to move forward the officer drew his weapon and fire four times. The parties engaged in the mediation with a federal judge was able to meet an agreement of \$600,000. The approval of the settlement and I'm happy to answer any questions.

Wheeler: Thank you for that overview. I want to acknowledge that situations like this are always tragic for everybody who was involved. I want to acknowledge the devastating impact at the loss of his life has had on his family and the community as a whole. Our officers often find themselves in difficult situations such as this. I trust that they try to do their best yet shootings like this demand that we be self-critical and willing to learn from these events. We must acknowledge and work to repair the systemic failures that disproportionately effect people in our community. I understand that some members of the Johnson family are here today and wish to say a few words to council. We welcome your testimony.

Juan Chavez: Good morning. Thank you for inviting our testimony today. I'm joined today with Terrell. A houseless man, person of color seemingly in a mental health crisis gets the cop called on him. This ultimately ended up with four shots in his chest. He had been living on the streets. He tried to get mental health treatment and addiction treatment. The United States department of justice, - sending officers for problems we've created made worse and ignored by not addressing the health of Portlanders. Other cities has them. That's not an excuse for the city of Portland. It's a choice we've made. We engage in mental health care but it comes from an office with a badge and gun. Until we come up with an alternative it will be the Portland police bureau. He presented as a buy racial black man in a hoody. Officer, believed he was arresting this person. He put on his blue latex gloves. When he saw him putting on the gloves he ran. At this point he had the situation under control by just talking to Terrell. The assumption that he was going to be arresting him escalated the matter. He chased and followed. The other officers followed at a safer distance. No one knew what his plan was. He believed he could tire out the person with this chasing. There's a directive that tells officers not to engage in the pursuit unless they can radio in they have to use things like cover and keep a distance, communicate with each other. They also just shouldn't chase people if there's a serious danger to the person that they are chasing or the public in doing so. Officer chased him for several hundreds of yards and chase on the max train bridge. He jumped into the area between the train tracks and noticed that Terrell had stopped. He claims that he drew a box cutter on him. He maintained a distance of seven to eight feet. Seeing the box cutter of one each blade at most, he drew his pistol took a step backwards without looking where he was going and tripped on the curb. As he was falling backwards, he claims he shot his gun at Terrell and continued to shoot four times, hitting Terrell three times. One went left to right across his chest ending in his bicep, breaking his bone, another was to his backside traveling upwards through his abdomen and stopped just before exiting his stomach. The other traveled somewhere around his right side of his back chest forward through his chest, entering his heart and landing somewhere before breaking the skin on the front breast. Terrell fell down at the same time as the officer and there he laid for some time. From a home nearby, she could hear the sirens, but didn't know they were for her son until officers showed up at her door that night. They didn't just show up to tell her that he was dead, but to

interrogate her and investigate Terrell. She didn't learn about his death from a counselor, from the city, from the medical examiner's office, she learned about it from the coworkers of the person who just killed her son. They were there to pin the blame of Terrell's death on himself. That's what PPD and the county district attorney's office did, try to blame his death on Terrell himself. The news became filled with pictures of Terrell's mugshot from an unrelated arrest from long before. The grand jury convened and heard testimony that the training officers received and the standards they are held to. The jury didn't hear from the family. Everyone was there to convict Terrell. He shot at him like he was at a movie falling backwards. Videos of the incident showed otherwise. His wounds twice in the back would also suggest that he was moving away from officer. No one was there to convince the jury otherwise. Months turned to years. They audited this incident. He violated the policy on foot chases. They didn't mention this violation to the grand jury. If they did, they would have had to tell the grand jurors that he needlessly put the officer in danger by chasing him and putting him in a place where he was alone. He never deescalated or even tried to. He never considered the responsibilities or options an armed officer has when faced with a person holding a small box cutter. Had we tried this case our police expert would have laid bare the failures that the officer showed that day and the failures in accountability that followed. Most importantly, what the mother heard when she listened to the OIR report was that Terrell would still be alive today if the officer had followed his training. So she moved on trying to find someone to take her case. In the meantime the officer became a sergeant and patrolled the streets and finally the mother got her case. As a son I can't imagine the pain my own mother would feel to lose me this way. I know she fought like hell to get justice for her son. He would still be alive today if the City cared as much as it does for citizens with mental health issues as it does for the feelings of officers they try not to offend by holding them accountable. This is the settlement on the value of the legal case not on the life of Terrell. I'd like to spare a word or two for the city attorneys who are here today who helped us work on this case and come to this agreement and their care for dealing with this matter. I implore the city to accept this settlement agreement. I offer a word of caution, the conditions that led to Terrell's death hadn't changed, the city still defends these assaults and members of the community still die.

It will and has happened again. And these are the names of people PPD has killed since Terrell, most of whom were in mental health crisis or drug addiction [names recited].

Lorene Arias: Terrell was my thoughtful and cherished nephew. He was full of life and joy. He really liked to eat and we loved to feed him while he visited. He had some personal struggles and our family understood that. We all worried about him constantly. Especially his parents. I had hoped that since he was so young he had enough time to get the help he needed and grow up to be a positive influence for people with positive struggles. I never thought his life would end in this way. Such a radiant force reduced to a cold body. His death broke our hearts and his absence can never be replaced. When I think of Terrell I think of a beautiful and kind soul who I loved from the moment he was born. It's so hurtful that someone can look at him and see him as merely a threat and not see the fear and pain he was dealing with in his life. He was fleeing what he perceived to be a threat to his life. He didn't deserve to be shot in the back that day because he was afraid of the police. Thank you.

Jeremiah Johnson: My name is Jeremiah Johnson. I was 16 years old and Terrell made me an uncle for the first time. Everyone who knew him said he had a magnetic smile that filled up the room. He was full of joy and curiosity. He always had questions for me, he was curious about life. He had a zest about him. I put him to work when he was a teenager, I had my own business in construction for 7 years and I put him to work in the summers and we'd talk about life. He'd ask me about the bible and scripture stuff and we would talk about the ups and downs of life and share all of that. He was a great cousin to his younger cousins. I have four kids. My oldest was eight years younger than him. All the family gatherings he would never pause to interact and engage with the silly little ones and their games and every Christmas eve they would put on a production. They would engage and do the roles of the play or the drama that the kids came up with and they would act along with it wholeheartedly and bring a smile to everyone's faces. He went to bible college for a season of time. He really had a servant's heart. He volunteered and served. He would walk up to strangers and ask them if he needed anything to pray for. The only thing we heard from the media is his mom had a restraint order on him because he stole a bicycle. The last chapter of someone's life doesn't define their whole story or character. I got the call from my older brother Joshua. He is gone. No more memories. No more life to enjoy. No more embracing and learning and sharing and

the give and take from a loved one is just ripped from you. No more holidays for my kids. Talking to my kids and forgiveness and this officer we only knew part of the story. How to let it go. We see a group of police officers at a Starbucks and I see the hesitation. They don't know how to act or respond. I want to give my kids the best advice and forgiveness of moving on. He even helped my two older daughters come up with a forgiveness letter so they don't hold on to bitterness. And it's good. And then we were moving forward and part of the family brought us to the DA's office and showed a video from the Max of what happened. We were led to believe that both sides of the encounter would be represented fully. And we were just appeased and told what we needed to be heard in the moment so that we would move on and we would believe that both sides would be fully and equally represented. And come to find out, that was a sham. So when we find out about it and all the racial justice issues come to life, you know, my daughters and their cousins, I have a sister and their three girls were effected too. Their disdain for the police officers because of the actions and inactions will always mark them and their people. One incident has a ripple effect if we're trying to bring people and communities together and who leads the city together. This was an opportunity to let the truth -- let justice be blind and everything on the table. Two sides, one is our fault. He ran and shouldn't have ran. The other side made a call and now he is dead. A training protocol that was not followed through. That's an injustice. I was marching with my daughters. I don't agree with everything that was being chanted and proclaimed but a lot of it I did. My kids and family were all impacted by this. I want to see change because I don't want other people to lose family members because people of use of deadly force aren't being held accountable. He was a gift. I should have more memories than the ones I have. Thank you.

Wheeler: Thank you for your testimony. With that, colleagues. I don't know if anybody has any colleagues. I'll ask if there's any public testimony on this item.

Clerk: Yes, mayor. We have three people signed up. First up we have dan handle man.

Dan Handelman: Hello. This is Dan speaking. This is dan with cop watch. Some of my comments are going to reflect what has already been said. Families are now being represented at these hearings at city council. He was shot and killed three months after another young black man was killed. His family received a settlement in March. Last night ppd was involved in their fourth incident in seven months. We're not challenging the settlement

in any way. Money does not bring back loved ones. The group noted that he should not have kept pursuing Mr. Johnson once he lost sight of him if none of these violations resulted in discipline. His questionable actions did not stop him from being promoted. Mr. Johnson was reported to be living with mental illness. Since the DOJ agreement was signed in 2012, to reduce violence against people with mental illness has gone up and not down. Johnson was also houseless at the time of his death; he was holding a box cutter as was stated and this was the fourth person since 2010 with a weapon that was not incredibly serious who was houseless that was killed. The police review board did not question his decision to engage in the dangerous foot pursuit. They are previously warned against foot pursuits because they lead to deadly force. It seems like nothing has changed and we hope that the city council will use this opportunity to make changes in all these areas. Thank you very much.

Clerk: Next up we have Betsy Toll.

Betsy Toll: I strongly support compensation for the family. I want to honor his family for being here. It's painful to listen to your testimony. I would like to say that families or estates of individuals who are killed by police should all be treated equally. And compensated equally. The compensation is not for the person's life. The compensation should be an acknowledgement by the city of its culpability in the death or injury of someone. We cannot – allow a system that values one life that's lost to police differently than a different life lost to police. Is an unhoused person's life worth less than someone who lives in a nice neighborhood? Most especially, when an officer is found out of police, out of training, there must be absolutely equity in the acknowledgement that the city is culpable for the actions of their employee and the employee of course should be held responsible. I don't know when this is going to change. I don't know what it's going to take for Portland to change. But this has been going on for the 30 years I've lived here and it's not gotten better. And it has to get better, we have to do better and be better than this. That's all I need to say. I've probably said more than you needed to hear. My incredible respect and regard and sympathy to his family for your courage, for your dignity and decency. I honor your suffering and pain.

Marc Poris: I'm heartbroken for the family. I'm sad, angry for the people of our community. We allow the cops to kill us and lift up our hands. It's never going to change until you on the

city council start admitting out loud that the city is responsibility for allowing the cops to kill us. That's all that I have to say.

Clerk: That completes testimony.

Wheeler: Thank you very much. This is an emergency ordinance. If there's no further discussion, please call the role.

Hardesty: I want to thank the family for being here today. I am so sorry for your loss and your pain. Clearly there's no amount of money that's going to bring your cousin, nephew, brother, son back. What I hope this shows is that the city council -- my colleagues and I are supporting this settlement today not as a way to undo what has happened but as an acknowledgement that would happen really should not have. I agree with you and for our community. I want to you know that everyday I'm here on council, I'm working to make our outcomes better. Thank you again for being here. I vote aye.

Mapps: I would also like to thank the family for their testimony today. This summer I've had the great privilege to get to know Jeremiah a little bit. I got to learn a little bit about Terrell and this incident and the pain and suffering this has caused this beautiful family. I'm heartbroken for you. I am heartbroken with you. This experience has been a scarring reminder that police reform is urgent and overdue. We must continue and succeed at this important work that is why I vote aye.

Rubio: I want to first express my sincere and deep condolences to Terrell's family and I'm so sorry that we as a city and community we weren't able to meet his needs in his last moment. Particularly in how we compassionately engage in these situations and that knowledge really hurts me very deeply and is something I'll be thinking about for a long time. We need to change how our institutions treat people of substance abuse. People like Terrell might have received the compassion he needed with love. I'm so sorry for tragic events that led to this passing. I'm sorry you experienced poor treatment. When I look at the photos you can feel his very bright energy in the photos. He had had a very full life that was clearly full of love. I'm committed to keeping his story in mind as we move forward. Thank you again for your words today. Aye.

Clerk: Ryan.

Ryan: I want to thank the family, your testimony was moving. This is the second one of these I've experienced since I've been on Council. It's really helpful to have the family here to lift up Terrell as a human being who had a really positive impact on your children. Thanks for being here I appreciate you. I also want to acknowledge the testimony that called out our government's lack of services for mental and behavioral health and the lack of even having a sobering center. The County who is in charge of those services needs to improve our system. It's not right he didn't have access to those services. I can relate to that in my own family's situations. I agree with a lot of what's already been said so I'm just really clear that it's very easy to vote yes on this. Aye.

Wheeler: I spoke my piece up front and don't want to dominate the conversation. I want to appreciate the family's testimony as well as the attorney's testimony around an area where we have significant agreement and yet the work feels like it has just begun. How do we care for people in our city and state who are struggling with mental health issues as well as substance abuse issues? I'm speaking more broadly than just the circumstances here today --

Hardesty: It looks like the mayor froze.

Wheeler: The consequences of those decisions put Oregon near the bottom of the list. I think we are recently ranked fifty first out of fifty states. We're at the bottom in terms of our ability to provide mental health services to people who are vulnerable and need it. We're ranked somewhere in the top five. There is no urgency coming from anywhere for this issue. I know we're trying to put together at least the third iteration of a drop off center. Back in 2007 and 2008, I led the crisis and treatment center. That was supposed to be the drop off center. They were supposed to be helped and connected to services who could help them the best. It was immediately overwhelmed. The state made a decision to basically move mental health system from the state to the local level responsibility but it came with no funding and no support, without meaningful funding and support. Clearly the resources are not available in the community. That's not to say there are not amazing people doing incredible work. The bottom line is if we -- and we haven't really done the work that we need to do in this state. Let me join my colleagues in continuing to raise our voices and use what influence we have as the city council and most populous city in the state to demand that collectively we do better. When I hear the family coming today in the spirit of wanting to do right by Terrell Johnson. I

also hear them say they want to do right by the community. We are accountable. That's part of what this settlement is saying. We are acknowledging that we're accountable. We must do better. I don't know how much time I have left here in this role but with whatever time I have whether it's a lot or a little, I'm going to keep pushing hard to do better around mental health and substance abuse treatment. We need it desperately and we need to urgently. I vote aye. The settlement is approved. The ordinance is adopted. Thank you. I have had not one but two requests to take a ten minute break. It's 11: 30 a.m. We'll reconvene at 11: 40 a.m. We are in recess.

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

Wheeler: This is a second reading. We have had discussion and public testimony. Is there any further discussion on this item? Seeing none. Please call the roll.

Clerk: (roll call)

Wheeler: The ordinance is adopted. The next ordinance is an emergency ordinance, item 580.

Clerk: Extend benefits currently provided to eligible members to the police retirement and death benefit plan.

Hardesty: Due to a legislative change we're bringing this proposal in front of the council. We have the director of Portland fire and rescue retirement fund here to present on this issue. Good morning Sam.

Samuel Hutchison: I'm trying to unmute. Thank you commissioner Hardesty, mayor, and commissioners. I'm the director of the fire, police, and retirement bureau. We're often referred to as fpdr and I'll use acronym today. I'm asking to bring our disability plan as described in section five in the city charter into compliance with the recently passed legislation bill. The city of fire fighters are could have for work related disabilities in plan as described in the charter. They are not covered by the state worker's compensation system. The legislature will extend a compensation plan to the officers and fire fighters. It extends the heart lung presumption to the Oregon state and city fire fighters covered by the disability plans. Conditions described in this bill it's dealing with heart and lung conditions. Should the fire fighter have any of those conditions, we'll manage the claim per the state statute. Per the city

charter 543a these additional benefits to be paid by fdpr since the city is required to do it by law. Anytime a law comes through the council is expected to change the charter to be in compliance. The administrative rules in order to comply with the state statute, however, even though we're still waiting for you, the council, to take action and the board of trustee hes to take action, the bureau is still required to administer any of these claims by state statute, we're trying to catch up with the administrative rules of the statute. We'll expected to see more approve disability claims. We don't have any way to measure expectations. We don't expect either to be significant to the number of claims being filed or the benefits that we are now paying out. That's a rundown of what that bill is. Thank you for allowing me to entrepreneur it. If you have any questions I'll be happy to answer them for you.

Wheeler: Very good. Colleagues, any questions at this particular time. Not seeing any. Do we have any public testimony for this item?

Clerk: No one signed up for this item.

Wheeler: Thank you. It's an emergency ordinance. Please call roll.

Hardesty: Thank you for always being timely with these regulations. Currently we are seeing them out there fighting one of the biggest fires of all time. I vote aye.

Clerk: Mapps.

Mapps: Aye.

Clerk: Rubio.

Rubio: Aye.

Clerk: Ryan.

Ryan: Aye.

Clerk: Wheeler.

Wheeler: I vote aye, the ordinance is adopted. Item 581.

Clerk: Authorize eight grant agreements and intergovernmental agreements related to the water shed program in the amount of \$100,000.

Mapps: This authorizes the water shed stewardship program to spend one hundred thousand dollars on eight community organizations. This is an emergency ordinance so these funds can go out right away. We have two staff members from environmental services please tell us more about this project.

Naomi Rodriguez: Hi everyone. I'm not sure if he is on. I saw him on call.

Wheeler: We can hear you.

Rodriguez: I think he was meant to go first. I can give him a call really quick.

Mapps: In the meantime I believe we have a power point. Could you please proceed with the power point.

Rodriguez: Community watershed stewardship program is mostly managed by Daryl and with the advice of the selection committee and as the Portland state liaison. I'm a student intern. We try to get funds out to communities of color that are creating community based projects that support community and the watershed and provide education about the watershed. The partnership with PSU started out with the department of urban planning and development, but now it's moved to indigenous nations study department at PSU. Interns are selected from the indigenous program and these interns serve as two years that overlap with each other. The previous person's year just wrapped up. WE initiate community engagement and foster career pathways. It's meant to create community and connections and uplift people usually someone like me, an indigenous student wouldn't be in a position in the city. There are doors being opened that wouldn't have been opened before. Next slide. The 8 grantees we've selected are listed. Wisdom of Elders and Friends of Pier Park. By removing invasive plants and adding in plants with ten neighborhood interns and students from the elementary school. Next slide. Historic Parkrose project, a project connecting black and brown communities and benefits to the community. The organizations first foods and healing projects will help develop roof top water harvesting in a key step to cultivate first foods that are part of the indigenous community. Lloyd eco districts peace park district brings volunteers together to revitalize the northeast green space to support habitat and filter storm water. We are also happy to award friends of healing generations and lands through ecology project which builds authentic relationships between conservation partners and healing practices and indigenous restoration practices. We are also looking to fund way finders program a series of nature based programs and cultural history. Camp activities are co-led by college aged youth of color. The mobile training program which will provide four hour workshops combining restoration and construction with on the ground training. Introduction to water shed science.

Daryl Houtman: I'm here. You did a beautiful job. Thank you for running through those slides.

Wheeler: Commissioner Mapps would you like to chime in here.

Mapps: I would like to thank you for stepping up and doing a great presentation. I feel like you have a long and promising fought you're at environmental services. I was wondering if you could tell us a little about your personal role with this project.

Rodriguez: My personal role, it was the beginning of the pandemic and I got a call from Judy. She was in the position before me, we are looking for another intern, would you be interested. I didn't feel like I was fit for the role. I didn't feel like it was something I would be able to take on. It's been -- she was like why don't you try it out and see how you feel. I've been trying it out for almost a year now. It's been all right. I've done a lot of outreach to the community members and learning a lot about the bureau processes and seeing things in the meetings that we have with all the other people within the bureau that reach out to community and I've seen some of the things that go on behind closed doors and I don't see myself working for government in the future. This position has taught me a lot about, you know, there are groups that are really herds to work towards equity. It's really good that we've funded so many projects in the past that benefit community members. There are so many things that

Hardesty: Your experiences are going to help you be strong leader that you already are. Give you the tools for the future. You expressed that today. I've seen adults melt down when the power point didn't work when it wasn't supposed to. The calm that you showed and the maturity that you showed to ensure that you presented the information that you both worked so hard to present. I'm in awe of you. As a young person, you stepped in ways that we all want young people to do. Those experiences that make you mad give you strength through life. Whatever it is you decide to do, please don't write government off yet. We need people like you to tell us how to change it and be part of the change that happens.

Mapps: If I can jump back in here. I would like to underscore commissioner Hardesty's comments. Government needs young people like you. As commissioner in charge of environmental services I'm deeply indebted to your service today. I also want to create some space for Daryl to see if there is anything that he would like to add.

Houtman: Thank you for your time today and thank you for bringing us forward.

Mapps: Sure.

Wheeler: Commissioner Hardesty did you have another comment. Very good. Anyone signed up for this item

Clerk: We have no one signed up for this item.

Wheeler: Please call the roll.

Hardesty: I want to thank commissioner maps for bringing this project forward. Naomi thank you for putting your heart and soul into this project during a pandemic. It's important that young people be exposed to government while they are in school and trying to figure out what they are going to do with their world. I can tell you that 40% of our employees here at Portland are ten years or less away from retirement. Which means the brilliant young people today are going to be the leaders that we're going to be looking for very soon. Keep your heart open to career tuns. You never know where they will come. Take this experience and build on it. If you want to have a one on one, I would be happy to meet with you. Feel free to reach out. I can be a woman of color walking in circles. You have support from this council. I'm happy to vote aye.

Mapps: I would like to thank you for putting together this rich presentation. This program helps protect our water shed and helps our bipoc communities. Naomi we're incredibly proud of you and hope we can convince you to think about a career in public service. I'm thankful for your help in moving this project forward.

Rubio: I want to thank commissioner Mapps. Naomi for your honesty and heart was so refreshing to me that you said what was true for you. What was your truth. We absolutely, the fact that you're participating in this program, by virtue of you being there has already made this project better. I want you to you hear that because it's true. I just also want to tell you gays, I also understand that the pressure when you're the only one from your community in a project like this and the pressure you feel to do everything and deliver for your community. I understand that. It's a appreciate a lot of us know what that's like. It feels like a lot on your shoulders. That's why it's important to speak your truth. You've done more today in these few minutes than a lot of people have done in a lot of years. You may not need government, but we sure do need people like you. I want to extend myself would love to connect with you too

off-line and anytime you're up for a coffee, I'm there to take you out to get one and talk about how we can do things in the community together. I'm happy to vote aye.

Ryan: I concur with many things that have been said. These eight grant agreements look amazing. Naomi great voice today. The best government is when we partner with our community organizations. Government lets them innovate. It's all about the partnerships and service. I vote aye.

Wheeler: I vote aye. Thank you. The ordinance is adopted. The next item is 582.

Clerk: Authorize the bureau of environmental services for the port main valve monitoring project through the exercise of the city's eminent domain authority.

Wheeler: This is a first reading of a non-emergency ordinance.

Mapps: This acquires a small easement that is about 450 square feet in a parking lot on swan island. This is a tiny but important project. The core mission is to protect public health and the river. Installing monitoring quim at six sites on a pressurized sewer main on swan island. It would allow special services to monitor equipment that helps keep sewage out of the river. A brief presentation on this project. Let's welcome environmental services engineering manager

Lisa Moscinski: Joe I can't hear you. We have a pretty short presentation that shows a review of the project and the need to acquire property rights. I didn't know to include temporary rights. I just want to clarify that we need a permanent property right not a temporary right. I just wanted to clarify that. A problem inside these vaults can cause sewage overflow. This has happened on a couple of occasions. This project provides early leak detection to enable city maintenance crews it stop the leaks and clear jams in north basin at the six sites that are showing here on the map. One site where we don't have room in the right of way is at 6335. The existing vaults is in the right of way. There isn't room to install the panel which is why we need a permanent easement. We'll be continuing to work with them through the acquisition of the easement. Next slide, please. The concrete pad and panel will be installed in the landscape area. You can see in this photo the existing vault. It will be installed just behind there. We're also working with bureau of development services. A couple of the sites require green wear review and screening plans adjacent to the streets there. There will be some landscaping done there. The administrative determination of compensation and we'll be

providing an offer to granger. We need the property rights before the end of the year to avoid any delay in our schedule. Happy to answer any questions that folks might have.

Wheeler: Thank you. Any questions colleagues? Great. Does that complete your presentation? Anybody signed up for public testimony

Clerk: Nobody is signed up.

Wheeler: I learn something new every day. This is a first reading of a non-emergency ordinance moves to second reading. Next item is 583, this is also a first reading of a non-emergency ordinance.

Clerk: 583 authorize a competitive solicitation and price agreements for site work.

Rubio: Various construction services that exceed our city to provide. Planting on call price agreements. They are critical to achieving the city's mission. Trail construction installation of erosion and sediment controls. Planting and other improvements to park facilities. Today Portland parks and recreation successfully contracted with 100% covid certified firms. On call price agreements are set to expire on September ten. Reach a diverse cross section of the business community. To answer any other questions about these agreements, I will now turn it over to staff for a short presentation.

Ross Swanson: Thank you commissioner Rubio. I work for the Parks improvement team. Parks appreciates the opportunity to solicit on these contracts. They allow us to provide equity service and repairs. They provide services and expertise that sometimes we just don't have in house. Small projects that's don't require a larger solicitation. Emergency repairs and any opportunities that might arise. A broader thing that these contracts allow to build relationships with these contractors over time. Give an open view into the public contracting. As they move forward and decide to expand their business.

Wheeler: Any questions on this item? Any public testimony?

Clerk: No one signed up for this item.

Wheeler: Very good. This is the first reading of a non-emergency ordinance. It moves to second reading. Next is item 584.

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

Rubio: Thank you mayor. I want to start by reiterating what we're doing today. We're accepting a high level design concept for the south park blocks. We're at the beginning and in the end. There's much more shaping to come. I want to be clear today that more detail and design will come when funding is available. I also want to reiterate that we don't currently have a time line nor do we have city funning that has been dedicated to this work. We currently have a list of sizable funding it make this work. We anticipate a lot of community interest as we saw during the master planning process. We welcome this. I want to thank staff for your engagement on this plan. Our urban forester Jen and her team. Park maintenance staff, the consultant team led by mig. Our agency partners at pacific north west college of art an especially our indigenou native studies program. I would like to thank individual stake holders who helped shape the plan for committee members. Native American advisory council the parks council. The Oregon council thank you to the parks and city staff who worked directly on this plan. Thank you for the great work of community engagement Barbara Heart as well as Bret and Lauren. Finally I want to thank all Portlanders who engaged on this project. Your participation has made this work better. Over the past two years led a robust process. I just want to acknowledge the planning and would love to end there and turn it back to you, mayor.

Wheeler: We had continued this discussion. We had left testimony open. The record is now closed. I want to confirm that with legal counsel.

Linly Rees: Is that what we had conveyed to testifiers last week.

Clerk: That's correct. You would not take further testimony without reopening the record.

Wheeler: That's correct as I understand it. My question of legal council is given that this was a resolution that the record is now closed, I assume we'll take the vote is that correct?

Rees: That is my assumption as well.

Wheeler: Any discussion on this item? Seeing none, let's call the roll.

Hardesty: I want to thank the community that showed up to testify. Clearly we have a community that loves the Portland Park blocks. I'm appreciate active of this vision for what is possible in the future and want it to reiterate that this is the beginning of the process and not the end. We look fer to full participation I want to take this time to really appreciate all those who testified regardless of what side you were on. It is clear that Portlanders all over love the

Portland parks blocks and see it as part of their community. I look forward to seeing what commissioner Rubio and the parks do moving forward. I vote aye.

Mapps: I want to thank all members of the public who reached out about the parks master plan. It public debate about the plan seems to feel that it should focus on preserving the parks unique character. In this debate I land in the middle. I think it should be possible for Portlanders to achieve both goals. I also want to make it clear what the council is voting on today. Today council is not being asked to approve or fund any specific changes to the south park blocks. Instead today council has been asked to accept your report which outlines the vision of the south park blocks over the next 300 years. I applaud parks for updating their master plan. It's a good thing to have a plan. By accepting this report, I hope we advance the public discussion around our shared long term vision for maintaining, updating, and preserving a park that we all love. That why I vote aye.

Rubio: Again, I just want to reiterate and thank everyone who participated on this. You have made this work better. Over the last two years we led a robust and community engaged perfects he is. Planning for a space that means so much to so many of us is inherently challenging. I believe in this conceptual plan. Many community perceptions and caring for our park for the next seven generations. I just sincerely want to thank everyone who has met and communicated with everyone. We're moved by your engagement and deep commitment to parks. I hope you engage over the next several years as this plan develops. We envy you to continue that work together. I vote aye.

Ryan: I want to start off by thanking commissioner Rubio with all of us. It was great collaboration. Engagement with the community members, learning what they have gone through was a big motivate -- I say all this to highlight this wasn't the easiest decision because it was such compelling testimony and dialogue. But at this moment this is a concept and it's trying to move it forward. I vote yes.

Wheeler: I want to thank everybody who participated in the conversation. The bureau, commissioner Rubio's team. I heard four critical things. This is a plan. That means every substantive component in this plan will ultimately come back to the city council at some point in the years ahead. We'll continue to allow for community discussion and engagement. I'm sure the debate will continue to be robust. I also heard a number of the concerns that

were expressed were perhaps overstated. For example, the concern originally that I had heard and which certainly motivated me to take a hard look at the plan was the old historic elms would be cut down. That did not sit well with me. Upon evaluating the program and collaborating with the program managers. It is clear that is not the intent of this plan. I had also heard concerns about the green loop. I'm very supportive of the green loop. The idea of a linear space going through the green park. To connect our existing parks and recreation facilities but connect other parks. These are important elements of a really bold and terrific vision for the future. I have heard that the green loop was going to significantly disrupt the south park blocks. That is not my assessment. It only cuts across one of the blocks, block two. Walkways and road infrastructure. I see that not as a detriment but as a significant improvement to the long term liveability and access to this area. I also appreciate the fact that there was an intentional effort to ensure that this civic space is seen as a civic space that can be enjoyed by all in our community. That's not unique to the south park blocks including the Broadway corridor and elsewhere. We're really thinking about how to make them more unique but accessible to everybody in the community that would like to enjoy public investments. How to think intentionally and how it make this a wonderful space. I vote aye and the resolution is adopted. Next item is 585 which is a second reading.

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

Wheeler: This is a second reading for a non-emergency ordinance. We've heard public testimony. Is there any further discussion? Not seeing any, please call the roll.

Rubio: I'm excited for this collaboration between parks and this organization and excited to see how it unfolds. Aye.

Wheeler: The ordinance is approved. Any further discussion on this item?

Hardesty: First I want to thank commissioner Ryan for bringing this forward. I'm really more excited about the study that we're going to do around multi and what big changes we're going to make to really make sure it's serving what it's supposed to. This really challenges me but I'm going to wait for the study. Aye.

Ryan: Thank you for bringing another detail to the study that we must highlight. The set of apartments bringing approval pipeline to 138 buildings restricting units and otherwise market rate developments. I vote aye.

Wheeler: I believe that completes our business for the morning session.

Clerk: Yes, it does.

Wheeler: All right. We are adjourned until 2: 30 p.m. Thank you everybody.

At 12:32 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 21, 2021 2:00 p.m.

Wheeler: Good afternoon everybody. This is the afternoon session of the Portland city council. Good afternoon, could you please call the roll.

Clerk: Good afternoon mayor and commissioners. (roll call).

Wheeler: Under Portland city code and state law we're holding this meeting electronically. The city has made several avenues available to the public to listen to the broad cast of this meeting. The public can also provide written testimony to the council by e-mailing the council clerk. Council is taking these steps as a result of the covid 19 pandemic and the need to limit in person contact and promote physical distancing. Covid 19 is an emergency that threatens the public and requires us to meet by electronic communications. Thank you for your flexibility and patience as we manage through this difficult situation to conduct the city's business.

Naomi Sheffield: You main sign up in advance with the council clerks office to briefly speak about any subject. You may sign up for public testimony for resolutions and the first readings of ordinances. Information about how and when you may sign up for testimony. Your testimony should address the matter at hand. Please state your name for the record, your address is not necessary, please disclose if you are a lobbyist or representing an organization please identify. Individuals generally have three minutes to testify unless otherwise stated. Disruptive conduct such as shouting, refusing to conclude your testimony or interrupting will not be allowed. If there are disruptions a warning will be given that further disruption will result in being placed on hold or ejected from the meeting.

Wheeler: Thank you very much. We only have one item on this agenda. It's item 587

Clerk: Adopt the Columbia corridor plan.

Hardesty: We have the Columbia mobility plan for council review and possible adoption. This is a much needed plan to guide future investment opportunities in these challenging and important corridors in the far north of our city. The recommendations in this plan are the result of just over two years of a community driven planning process that identified deficiencies and needs along the corridors. There's a ton of details in these plans and we have the members at pbob to walk us through it. I want to thank all the community members that participated and look forward to the conversation. At this point I'll turn it over to pbob's planning and policy manager to kick off the conversation.

Art Pearce: Hello commissioner and council. Thanks for including me in this conversation today. Really excited to introduce the Columbia plan to city council. This has been a deliberative effort. Both carry high volumes of freight traffic but are also used by people walking and cycling. It maintains balance of freight movement and access and safety across the corridors. We're really grateful for collaboration from odot and input from the public. The plan provides good clarity and potential funding sources and gives us a path forward to serve our communities needs.

Mauricio Leclerc: For the interest of time I'll pass it onto brain. He was the lead for the project.

Bryan Poole: Great. Thank you. I'm going to go ahead and try to share my screen. We can get going. So again, thank you very much for considering this item. My name is Brian Poole. As the lead planner on this Columbia corridor plan. We're here to help answer questions and we're excited to share the plan's recommendations and key project. First I thought it would be helpful to share a quick video that provides an overview of the corridors and the plan process.

Hardesty: There's no sound.

Poole: I was worried that was going to happen. Let me try something. If we can't get sound

Pearce: Brian, I think you have to unshare and when you share, share audio as part of the process.

Poole: Okay. Let me try one more time. Thank you. (video)

Video: This region originally was a high traffic corridor, historically it was a trade corridor for indigenous populations and it is today. It's the state's largest economic corridor. It's where most of our export goods move through. The Columbia corridor are really core of our industrial sector. During the last two years we've worked with the community to identify needs and improvements. The purpose is to identify ways to improve safety freight movement, access to jobs, services, recreation, and opportunities. The focus of the plan is generally on the two corridors between the i5 and i1205. To the north is primarily industrial. The area to the south is primarily residential. Access to me means to have sidewalks and roads and safe railroad crossing and side streets you can drive down. We have a lot of staff and volunteers that are avid cyclists. People that like to get around on foot and bikes, if there's a safe way to do it we would have a lot more people doing that. Many of our clients are coming here via public transit with their pets. It's not safe for them or their animals. One of the problems with congestion is that as we slow down the trucks moving down the street, it means they can do less during the day. Reducing the deliveries creates other economic problems. Really what we need to do is make sure those trucks on the road are moving down the road efficiently. In the early summer of 2019 we asked residents to share what was happening on the corridor and share plans. The need for cyclists and improvements. The rights for columbia boulevard are aimed to improve safety and access. The projects are intended to manage excessive speeds, improve conditions for walking and biking and add more crossings. Additionally there are projects that improve access to jobs and walking and biking and low stress routes across and parallel to the corridors. One of the things that's really interesting to me is how close we are to the columbia shrew. We have a secret gem in the back. There's a wood land home to a lot of native species. The ideal corridor for me is continuing that great mix of wild life habitat family wage jobs and industrial areas as well. An ideal corridor would feel less chaotic, more accessible, it would be safer and that's what i think our community needs and what our community wants. We seek to achieve these goals continuing to sustain the balance of industrial jobs and habitat and safe for users. To learn more please visit the project website.

Poole: It's a nice overview of the planning process an the focus but really than plan benefited greatly from the community and stake holders. I want to especially thank the

members of our project and the advisory committee. They are joining us today. Their commitment for collaboration was critical to develop all the recommendations in this plan. I want to thank our consultants who helped us with this plan and design. The goal is really to develop projects and strategies for safety and access along the Columbia corridor and freight movement through a critical industrial area of our city. This conceptual map separates the residential and industrial land uses. There's some restaurants along that part that can you see. As I mentioned our primary goal is addressing the high rate of crashes on both of these corridors and serious injuries and fatalities. Both of these are on our high crash network. Shown here is a heat map on all of the -- there's some clustering around 33 avenue. On the west are ones that involve bicyclists and pedestrians. Many of these are the result of high speeds. Since 2016 15 more people have been killed on these corridors. After this data eight on Lombard street. We engaged with the public through this process. Tabling at community events. And benefits from the community groups. Using data and feedback from the public that we heard, we developed more than 50 project recommendations. They can be found in appendix f. They better delineate Columbia boulevard. Access and safety. Doing that by better managing speeds including walking and biking facilities and adding crossings. Improving north south connectivity people to be able to access the jobs and also they range on here to filling sidewalks and amenities and access looking at safety and access at key improving and safety on issues such as here on the bridge where freight route and this bridge is too low, working with them to raise it and looking for it to be a more dimensional freight route. In this section of Columbia walking and biking on the corridor and crossing the corridor and reducing high end speeding. Recommendations all set to improve critical components for onramps, eleventh avenue and forty second avenue. We also have some recommendations to improve safety. This illustrates two different concepts that we're looking to advance and further advance for consideration. One of these would reduce the travel lanes from two-lanes in each direction to one in both directions. One keeps two-lanes and keeps two-lanes traveling in both directions to improve safety. Between 11th and 60th avenues we have two concepts. One would convert a westbound lane to a median and turn bucket. The other would add a median turn bucket and add parking that exists right now. We're recommending that we work with odot and which options would go further into design. To

improve conditions for people with biking, a ladder of strategies to provide comfortable alternatives. So the east west rails of the ladder are using the Columbia trail and neighborhood green ways and improving north south corridor it provide that access and connectivity. The plan also has some other non project recommendations for how to improve safety access and further liability. You can see the list here but it includes better management of driveways integrating storm management, addressing noise and other pollution and some other really improving transit service and regional freight movement as well. As I mentioned we have more than 50 projects in the recommendations, we see all these projects as good projects, we see all of these as high, medium, or low readiness. It sets expectations for the public for when they expect to see these projects move forward. The timeline that we show gives a high low estimate for each project, it would actually depend on a variety of factors. Just want to flag that this plan that we've developed really builds on a number of other improvements along or near these corridors. An odot funded street which is going to narrow the road and add bike lanes. Narrow the lanes from two-lanes a number of new signals, jobs connector transit show that will connect those to the industrial jobs. A new bridge and projects in the neighborhood. It does propose a number of changes to the system plan. These projects will be further evaluated and incorporated when we do the next update. Overall we're really excited about the potential for this plan and the impact it will have on improving safety and access and mobility along and across these corridors in the city. With that I'm happy to answer any questions you have.

Wheeler: We have a question from commissioner Hardesty.

Hardesty: Thank you. That was a really detailed presentation. I'm really appreciative of it. I'm curious whether TriMet was a part of this effort and whether you plan to scanned access as you make these improvements.

Poole: Thanks for that question. They were a partner on this plan and part of our technical advisory committee. One of the complaints we've heard is it does provide access but it does so infrequently. It has to go out of direction to do so. One of the great opportunities that developed when we were doing this plan is trying not to build a new bus barn. We're continuing to work with them. Is sounds like a possibility of extending a new service line that would approve access along Columbia boulevard. We're ensuring that the transit stops and

crossings were adequate so we can provide the necessary walking environment to access buses safely.

Hardesty: Thank you. I was very glad to see you come back from five lanes expanding from three lanes to five. I really would hope that we consider whether a rose lane would be helpful in moving traffic better. I know the Columbia corridor association is really desperate to get folks employed at different times of the day. I'm very happy to see that they are part of the advisory committee to help us think through both surveying the needs of the commuters and transit different modes of transportation through these two areas and really hopeful that we can help to ensure that there's adequate transportation to those living wage jobs that they are desperate to hire people for.

Poole: That's a great point.

Hardesty: It sounds really thoughtful. Clearly there's a lot of work that went into this. Are there things that would move up on your long-term list if we identified federal resources that would help us get those projects done sooner?

Poole: That's a great question. Do you want to weigh in on that question?

Zef Wagner: Hi, everybody. I was part of the team. I did work a lot on funding resources I would say I'm encouraged by what I'm hearing at the federal level. What would really help is bridge funding in particular. Several bridges a considers the railroad tracks and Columbia, if we could rebuild those it would be good for seismic resiliency, freight safety. We have a real lack of resources for bridges in particular. Also just more funding more multi use path trails. That came up a lot. A huge community asset but it's disconnected. To fill those gaps we would need a lot more federal funding program. Those are the two things that come to mind.

Hardesty: Thank you. That's all the questions I have, mayor. Did i hear you have invited testimony as well from your advisory committee.

Poole: Not specifically invited but we invited them to be here and they signed up to speak.

Clerk: We have two people signed up.

Wheeler: Good. Let's have the testimony.

Ashley Evans: I've been lucky enough to serve with Brian for a few years. Today I'm here with the Oregon humane society. We provide low cost services to more than 4,000 residents. We're expanding our campus an opening a hospital that will provide low cost veterinary care

to our community. This will help keep pets and families and preserve the human animal bond. We saw more than 130,000 guests walk through our guests each year which is a lot of traffic. We're in the heart of the Columbia corridor. Our organization is not currently served by any public transit. If you can imagine trying to walk up Columbia boulevard carrying your pet it's dangerous. Accessing our facility is dangerous. Just this Monday a client carrying a kitten was hit by a truck. It's not an uncommon event. In order for us to continue our live saving work, we need this plan to be adopted. Adding a traffic signal would have a tremendous impact on the clients we serve. If you look at the survey results there's overwhelming support for this project. I really hope you'll consider a dropping this project. That's all i had. Thanks so much.

Wheeler: Thank you.

Emerald Bogue: Good afternoon. I'm the director of regional government and community affairs at the port of Portland. I'm here today as a member of the stake holder advisory committee. Our gratitude for the process and leadership. This process could have easily evolved into a unproductive process of a modal fight. It didn't. Pbot did a really fantastic job. The state of Oregon is usually really dependent upon trade. This means everything moving around be it on a truck, plane, or train. It needs to get somewhere on time. Big impacts on our economy when that doesn't take place. We have employees clocking in at all hours with a wide variety and diversity of jobs. Ranging from pdx concessions and manufacturing. This plan sets us on the right path and provides the right foundation for future decisions. We look forward to our continued collaborate as we continue these projects thank you so much.

Wheeler: That completes public testimony is that correct?

Clerk: That's correct

Wheeler: This is a resolution. If there's no further questions or comments. We may call the roll.

Ryan: I was a little slow. Great presentation. Thank you pbot. I noticed you had options one an option two, if we go forward we're going forward with both options?

Poole: We think both options would improve safety. The two options are on odot maintained facilities. The reason we have two is we need to do more analysis with odot to see which of those meet the would be acceptable to them. Also improve safety. We think both of those options would be a dramatic safety improvement. We'll be working with them. Yeah.

Ryan: They were different. I live in that part of time. I know the arterials really well. Safety is the first thing to think about an implement. Both of them seem to do that. I was taken with the testimony, we don't have a lot of parts of down where you can do industrial movements that actually is efficient. We need that especially where everything comes together with the airport and the industrial land. One option allows there to maintain the two-lanes on each side with safety and can also improve and have safe lanes for bikes with a padded bumper in between did i see that? I'm concerned if we eliminate a lane in each direction in that high volume traffic part of town. We're not cognizant of the commerce of our area.

Poole: If it's okay for me to share my screen again. This is the connection between i5 and MLK. There is, it's a pretty high traffic volume in this section right now. A lot of people are using i5, MLK connecting freeways. This would have impacts and take ago way a lane would have impacts and cause diversion.

Ryan: This is more the residential part of this. I was thinking beyond MLK going east

Poole: This section with the railroad to north an some residential to the south. You can see here it's currently two-lanes with each direction with a median in the middle. A painted yellow line in the middle. This top option would allow this parking here to remain but by doing so we would convert one of the westbound lanes to a median and turn pocket so that separates vehicles traveling alternate directions and creates a turn pocket. The bottom option keeps this lane configuration.

Ryan: If I bus, we're talking about improving the bus access there. What would a bus do if it go it a stop. It can't go into the bike line. I'm into option two.

Wagner: I would say they have no plans to put bus service on this section. They are planning to add service on Columbia boulevard. We recommended carry both of these options forward. They have different tradeoffs. The one on the top, we did some traffic analysis thinking it would operate an meet requirements. Odot wasn't prepared to just say yes, that's okay. It really requires a lot of analysis to say where would that traffic go. Are we going to add it to Columbia boulevard and freight there. The bottom one does provide protected bike lanes.

Ryan: You don't see a lot of parking along there. I don't recall seeing a lot of parking along there. Now that we're on this one, this is the one I was thinking about. The other one i was

more open to option one. This one I have some attachment to option two because it allowed the efficiency to keep move ago long. I see port cars, there's usually always a truck going by.

Wagner: One of the things we heard from the freight community. They don't want us to make it worse. That was one of our guiding principles see if there are appropriate ways to provide better walking, biking facilities but not have a really negative impact on that essential goods movement.

Ryan: Did you have similar visuals for Columbia boulevard in this area.

Poole: We only have this one section. We're recommending a street modification. The traffic volumes and sheer volume of freight volume necessitates that. It's maintaining the five lane cross section. This section drops, you see the lane goes from two to one and that's where a lot of congestion happens.

Wagner: Our recommendations for Columbia boulevard are a lot more specific to certain intersections. Signal projects, making the signal heads more visible. Consolidating driveways. Putting smaller medians in the center turn lanes. That helps breakdown the road and slow down traffic. It's a little more programmatic and site specific along Columbia because the crash data shows most of the crashes are happening at specific complex intersections rather than in between those intersections.

Ryan: I appreciate it. Thanks for bringing up the visuals again.

Wheeler: Very good. Any other questions? Seeing none. Please call the roll.

Hardesty: Thank you commissioner Ryan for those additional questions. When you are trying to repair roads you don't own it becomes a bit more challenging especially working with odot to make sure they are equal partners with us and during this very many. I really appreciate you putting those questions on the record. I want to compliment Brian. It's rare that we hear from an oversight board put together to solve these things that we put it together right from the beginning. I'm going to remember that phrase for a while. It's good work, it's good forward thinking and really very thoughtful an thinking who are the right people to be at the table from the very beginning. This is really really good work. I'm very appreciative of all the good people who made this happen. I'm happy to vote aye.

Mapps: I would like to thank the commission for bringing this item forward. I vote aye.

Rubio: I'm really impressed with this work and at the level and diversity and community engagement that resulted in this plan. Finding alignment in projects like these aren't always easy when talking about jobs and safety and community and environmental factors. It's come together really well here. I know they are still a lot of questions to answer. Over all I'm supportive of the direction and following the progress of this project. I vote aye.

Ryan: Thank you. This was actually fun. I enjoyed the presentation. Good job. It's helpful to remember highway 30. We share this with odot. How you set the table. You set the table right. You can tell by the options you presented that you have multiple options. Great presentation. I vote aye.

Wheeler: I want to thank commissioner Hardesty as well as the project stake holder advisory committee for your incredible work. This is the reason I appreciate the citizen engagement. I support it. The resolution is accepted. That completes our business for this afternoon.

Clerk: Yes, it does.

Wheeler: All right. We are adjourned. Thank you.

Council recessed at 2:44 p.m.

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 22, 2021 2:00 p.m.

Wheeler: It's 2 o'clock, Keelan you can go ahead and record. Megan, is it just you this afternoon?

Clerk: Yes, it's me, good afternoon.

Wheeler: Excellent, good afternoon. Thank you. Well, this is the, what day is it today. This is Thursday, July 22nd, 2021, this is the afternoon session of the Portland City Council. Megan, please call the roll.

Clerk: Hardesty?

Hardesty: Here, sorry I couldn't get my mute button off fast enough.

Clerk: Mapps?

Mapps: Here.

Clerk: Rubio?

Rubio: Here.

Clerk: Ryan?

Ryan: Here.

Clerk: Wheeler?

Wheeler: Here. And a question for legal counsel, I assume you're not taking public testimony for two days, so you do not need to read the rules of order and decorum, or am I mistaken?

Lauren King: I would like to read them since we have given participance status to everyone that testified previously, so although we're not taking public testimony, we have the ability to interrupt.

Wheeler: Very good, just to be consistent that under Portland city code and state law, the City is holding this electronically. All members of the Council are attending remotely via video and teleconference. 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, eGovPDX, www.portlandoregon.gov/video and channel 30. The public can also provide written testimony to Council by emailing the Council Clerk at cctestimony@portlandoregon.gov. The Council is taking these steps as a result of the COVID-19 pandemic and the need to limit physical contact. The pandemic is an emergency that threatens the public's health, safety, and welfare which requires us to meet remotely by electronic communications. Thank you for your patience, your flexibility, and your understanding as we manage through this challenging situation to conduct City's business. And with that Lauren, I turn it over to you for the Rules of Order and Decorum.

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

Wheeler: Thank you. Commissioner Hardesty has a point of order.

Hardesty: Yes, Mayor. I just wanted to put on the record that I had to leave at 5:00 when we were listening to public testimony at the first hearing. I have had the opportunity to review the public record and am able to fully participate today.

Wheeler: Very good, thank you. Megan, can you read our Item for today, Time Certain Item 588?

Clerk: Consider proposal 340 NW Glisan for demolition review and adjustment review approval and Bureau of Development staff recommendation for denial for a contributing building, the Old Blanchet House at 340 NW Glisan street in the new Chinatown/Japantown National Historic District.

Wheeler: Thank you. As a preliminary matter, I would also like to disclose for the record, I have reviewed the entire record and I am prepared to participate today. Moreover, I don't have any conflicts of interest to declare, nor have I made any site visits. Do any members of the Council have any ex-parte contacts to declare or other information gathered outside of this hearing since the last Council meeting that you would like to disclose?

King: I'm just going to go ahead and remind, or alert Council that on July 16, members of the Council did receive an email from Peggy Moretti with Restore Oregon after the record was closed. It was after the record was closed, so therefore it is ex-parte communication. If any members of the Council reviewed that email, please declare it for the record and allow parties to rebut substance of the letter.

Wheeler: Has any member of the Council received- I have not read that, I don't know if anybody else has. Has any other member of the Council read that email?

Ryan: No, I did not.

Hardesty: I haven't seen it or read it, no.

Wheeler: Great, OK. It usually takes a bit of time for those e-mails to filter to the principals. It does not appear, Lauren, that any member of the City Council has seen that email.

King: OK, thank you. Since it was sent to the members of the Council when the record was closed, I'd recommend Council reject by motion and second any testimony that was received after the record closed.

Wheeler: Can I get a motion?

Hardesty: So moved.

Wheeler: Second please?

Ryan: Second.

Wheeler: Commissioner Hardesty makes the motion and Commissioner Ryan seconds the motion to discount or disregard any testimony received after the closure of the record. Any further discussion? Please call the roll for the motion.

Clerk: Hardesty?

Hardesty: Yea.

Clerk: Mapps?

Mapps: Yea.

Clerk: Rubio?

Rubio: Yea.

Clerk: Ryan?

Ryan: Yea.

Clerk: Wheeler?

Wheeler: Yea. The motion passes. Does anybody else have ex-parte contact or site visits or other potential conflicts of interest that have arisen since the last discussion on this subject? I'm not seeing any. So that gets us then right to our deliberations. With that I will ask my colleagues, if anybody would like to begin deliberations?

Wheeler: Sorry trying to get into this. Commissioner Ryan? Sorry, I was in Zoom outer space there. Commissioner Ryan.

Ryan: Thank you, Mayor. I think this is where I'm supposed to do this, members of the public hearings always confuse me a bit, just know that. But, I move to approve with the conditions that are presented on the screen that we sent to the Clerk. Is this a good time to bring that up?

King: Yeah, if you can go ahead and share on your screen the condition that Commissioner Ryan has prepared. And I don't know, because it is in writing, just for accessibility purposes, I think it would be helpful if it could be read into the record. I know it is very long and I apologize.

Ryan: The Clerk will read it? Or do you want, are you going to read it?

King: You can read it, the Clerk can read it, or I can read it.

Ryan: I'm really OK with letting someone else read it. This has been shared with all the Council Offices.

King: I can read it.

Ryan: OK, thanks Lauren.

King: I'm just doing this for accessibility purposes.

Ryan: Absolutely, I support that, we all do.

King: Prior to demolition the property owner will have a stakeholder committee with the following representative members. One, executive director of Japanese American Museum of Oregon or board member of Japanese American Museum of Oregon. Two, a member of the Old Town Community Association as selected by it's board. Three, a historian with knowledge of the district and its history. Four, executive director of Blanchet House or a member of the Blanchet House board. Five, a lead donor of the redeveloped clinic in the new building. The property owner will consult with Historic Review staff at the Bureau of Developments Services when selecting a historian. If Blanchet House no longer owns the property, representative members four through five will be selected by the property owner. The role of the stakeholder committee prior to the demolition is to document the structure through such methods as documentary, physical, or pictorial evidence and advise the property owner on the retention of historical elements prior to demolition. The stakeholder committee shall share its findings with Historic Review staff at the Bureau of Developments Services. Historic review will be required for any development on the site. Prior to submittal of the historic review application for redevelopment of the site, the stakeholder committee must review and summarize the known written and oral history of the users of the site from its construction around 1905 to present. The committee shall make recommendations to the Blanchet House and its partners on feasible and meaningful ways to reflect, revive and honor the history of the new building. Blanchet House and any subsequent owner must use all reasonable efforts to incorporate these recommendations into the redevelopment. This decision must be recorded in the property records of Multnomah County and these conditions continue to apply and run with the land. If Blanchet House is not involved in the redevelopment of the site, any development must also comply with the conditions above.

Wheeler: Thank you. Commissioner Ryan, can I ask you- first of all, I'll ask is there a second?

Hardesty: Second.

Wheeler: Second for Commissioner Ryan's motion by Commissioner Hardesty. Commissioner Ryan, has this been shared with folks at Blanchet House?

Ryan: No, the records were closed, so I didn't think that was possible.

Wheeler: Ah, ok, very good, fair enough. Thank you.

Ryan: So here we are.

Wheeler: So we have a motion and second and Lauren, just to be clear, so the motion now has been made to approve the permit and correct me if I'm not repeating this or paraphrasing this correctly, Commissioner Ryan, but with these further stipulations. Is that a fair interpretation?

King: It would be a motion to tentatively approve the application for demolition and adjustment with the conditions as proposed by Commissioner Ryan. It's a tentative vote because we will need to return with findings.

Wheeler: Tentative approval for the application for demolition and adjustment but subject to the conditions that Commissioner Ryan has put on the table. I want to make sure I understand completely what the motion is. Is that a fair interpretation?

King: That sounds accurate to me.

Wheeler: Very good, Commissioner Hardesty.

Hardesty: I think Commissioner Rubio was first.

Rubio: No, you can go first, it's ok.

Wheeler: OK, Commissioner Rubio and then Commissioner Hardesty.

Hardesty: I had a point of order question, because Blanchet house has not seen this amendment, wouldn't be it appropriate to have someone representing Blanchet house and at least give us some sense of whether or not this is something that they could live with.

King: We can ask Blanchet House's attorney, she's on the line, whether or not her client objects to the condition and that would prevent them from being able to challenge the condition at LUBA. Christe, could you answer whether or not your client objects to the condition as written?

Christe White: No objection.

Hardesty: Thank you, that's very helpful for me. I again, I've seen this building, so I know this building must come down. I really want to appreciate Commissioner Ryan trying to find a compromise that would work for both sides of this issue. Never easy to come up with a compromise when you have to do it without talking to the people involved, but I applaud you for this. I just want to put on the record that I do not believe that Blanchet House actually did not develop and intentionally neglected this property. I found that not a winning argument for the other side. I know the services that are provided daily. I know the care and that this organization gives to people in need in that community. It struck me a little wrong, the accusation. It would be different if I was sitting here with a big out-of-town developer that was swooping in trying to make a killing and then go back wherever they were from. But this is a community treasure. Blanchet House is a community treasure that has proven its worth over and over and over again. And I am again thrilled that there's a compromise that is acceptable to both sides that will allow us to move forward with this project. Honestly this building must come down. That is the bottom line, and the question is whether or not, the case that was presented, was whether or not the reason this building is in such poor repair was whether it was intentional neglect or because of a desire to tear it down. I don't believe that, I won't believe that and none of the information that was presented proves that was so. Again, I appreciate all the testimony and all the passion that was given and I think where we're headed is the best outcome I could have hoped for.

Wheeler: Thank you, Commissioner Hardesty, Commissioner Rubio.

Rubio: I want to also appreciate Commissioner Ryan for finding a path here. I do have some concerns though, for me, I really want to appreciate Blanchett House and their incredible work in the community. I cannot imagine Portland without the work they do. I'm specifically talking about the erasure of the Japanese-American community and contribution in this. For me, I have pieces missing here. I'm very glad to see the interests convenes and coming to an agreement to honor and uplift that history. For me the proposals have not gone far. I feel like it is not respectful of that history and contribution just to have one representative that group. Also, I want to know if we can also ask the community, the Japanese-American community, if this is also something they're in agreement with and support. I don't know if we're able to do that either, but that's something that is important for me to know as I make this decision.

Wheeler: Thank you, Commissioner Rubio. After Commissioner Mapps, I also see Carrie Ritcher and Jerry Johnson, so Commissioner Mapps and then Carrie.

Mapps: I think this question is probably for the City Attorney, what happens if one of the parties named on this committee, let's say the historian or the neighborhood association decline to participate in this group. Where does that leave us?

King: The condition, they would request, the property owner would ask them to be a part of the committee, if they refuse, or are unable, or uninterested, I think then the committee would still make recommendations. Ultimately it's not a governing body or public body. We can't do much to make them participate if at some point we propose a condition, it is out of the City's hands and they make a report back. So there is a little bit of an expectation of good faith participation this here. I don't know if that answers your question.

Mapps: It does.

King: And I just want to say something, Mayor Wheeler, before you call on members, or people that are signed up that are not members of the Council, the record is closed. We did give people testified previously, the ability to participate, if they for example wanted to object to something.

Wheeler: I just figured out that we pulled people in the panelist section, I apologize. I was confusing them with staff, so understood. So folks, if you're not a member of staff or a legal team, this is not the time it chime in.

King: If they would like to make objection for the record, to preserve that objection for a LUBA appeal, that is appropriate. But if it is to testify or provide new evidence or information, then I'm going to ask Council to reject it.

Rubio: I'm still waiting for any sort of acknowledgement or answer to question.

Wheeler: Why don't we get to Carrie and after that let's see if we can get somebody from legal counsel or staff to answer your question, because it is a fair question obviously. Carrie?

Carrie Richter: Pardon my interruption, I don't represent anybody here but I a lawyer and I do object to the condition. One because, for the reason Rubio mentioned, that none of the participant stakeholders in the Japanese American community have seen the condition or evaluated it at all. My initial response is I'm not sure how the condition works with respect to timing of the new construction versus the demolition. If the condition requires these steps to

be taken before demolition occurs and a building permit is approved, then I don't think you need the adjustment. So the adjustment ought to be denied because the applicant won't need it under this condition. I read the condition long enough to see it on the screen for about one minute. I'd like the opportunity to weigh in on it in greater detail.

Wheeler: I ask legal counsel, is that sufficient, I assume?

King: Posting it for the brief time?

Wheeler: No, I assume there's nothing that is problematic about what Carrie just said in stating her objection?

King: Her objection is fine and she's preserving for the record. If Council, well I'll let you go ahead.

Wheeler: Just chime in if there's an issue. Back to Commissioner Rubio, Commissioner Rubio, could you please for the benefit of legal counsel state your question again so it is fresh in everybody's mind.

Rubio: I want a response to the idea of incorporating more community, more members of the Japanese American to participate in any discussion rather than one. Also the question was, someone help me. The second question.

King: I thought-

Rubio: About the Japanese American community, since they asked one party, can we ask the other party about this proposal?

King: Yes. What I might suggest Council does given Carrie Richter's objection and what I'm hearing from the Council is. We're under a very tight timeline because the applicant has a 120-day deadline in which case if we don't make a decision within a certain amount of time, they can go to court. I would like Council to make a decision by next week, but what I can recommend is we leave the record open for one week for people to testify on this condition and then Council returns next week to make a tentative vote and then we come back with findings. That still puts us in a very tight timeline, but we do have some room for a couple of days of written testimony about this condition. There are individuals that testified at the last hearing that have been given participant status today. If Council wants to hear oral testimony from those individuals, that's also an option or we can just limit it to written testimony over the next few days.

Rubio: I have one more question. Does that prohibit the parties from, outside of this time, from getting together and having a conversation?

King: Absolutely not. The parties can always communicate and coordinate and come back with another condition or suggestion.

Wheeler: So Lauren, if I hear what you're saying, your proposal with regard to testimony is to keep the written record open for some period of time. We would continue this hearing to next week, presumably 2 p.m. Next Wednesday.

King: Is that time available, Megan?

Clerk: Looking at the calendar, the best time would be Thursday, the 29th, at 3 p.m.

King: The Council deliberation and ideally tentative vote will happen next Thursday at 3 p.m. And in the interim, the record is open. Does Council have a suggestion as to when the written record should close?

Wheeler: Commissioner Hardesty?

Hardesty: Sorry, Mayor. I was going to weigh in on that question. I'll wait until-

Wheeler: I would say let's close the written record, let's give people the weekend. So why don't we say Monday at 5.

King: How about Tuesday at 5.

Wheeler: Tuesday at 5 it is.

King: Tuesday at 5. And what I would ask is that, if Council would like to keep the record, the testimony limited to the condition, to specify that the record is open until Tuesday at 5 for testimony related to the condition as proposed by Commissioner Ryan. Any other testimony will be rejected.

Wheeler: I accept that. Can I get a head nod on that?

King: Commissioner Ryan, excuse me, Commissioner Hardesty, you're not participating in Council next Thursday or are you available to participate for this hearing next Thursday the 29th?

Hardesty: Let me look at calendar quickly and ask the question that I was waiting. I'm concerned that we've moved and seconded commissioner Ryan's amendment and not voted on the amendment.

King: Go ahead.

Wheeler: Go ahead.

Hardesty: I think we all have the same question, does it just sit out there, does he pull it back, what happens?

King: It is on the table, and so Council can take it up next Thursday.

Wheeler: We'll restate it on Thursday and make sure that's still where the sentiment of the proposer and seconder is, Dan being the proposer and you being the seconder. It's not only an amendment, it is actually a tentative vote on the acceptance of the permit. With those additional conditions that we can always change that, depending on how the conversation goes.

Hardesty: I will not be here next Thursday.

King: Are you here next Wednesday, Commissioner Hardesty? Is there a time on the calendar, next Wednesday Megan?

Clerk: There is, we could do 10:15 Time Certain next Wednesday, it's a long day. Otherwise we could August 18 at 9:45 a.m.

King: We could not do it after next week because of the deadline. OK I'd like to restate for the record-

Wheeler: Wait a minute, full disclosure. I'm Mayor, it's the greatest job ever, I love it. I'm 100 percent in it to win it. I'm driving my daughter to summer camp on Wednesday and I will make every effort to be available, but it's a fairly remote location and so there is a possibility that I will not be able to participate on Wednesday. But I will make every effort, I will even bring my satellite phones and if I have to call in, I can call in.

King: Ok, we'll go with Wednesday.

Wheeler: Before we agree to that, I see Christe has her hand raised. We should hear what her comment first before we lock this, Christe?

White: Yes, thank you. Given that we're going to start losing potentially Council members who have been invested a lot of time and resources into evaluating this proposal, I would prefer that we're selecting an opportunity and a process here where all five of you are present, because I know you're all invested in this application as we are and the opponents are. One solution to that, and I as a mother have no interest in getting your way. Driving to camp. That we provide oral testimony now on that condition, for example if there's a request

to add more people of Japanese American descent to the committee, Blanchet House would not object to that.

King: Can I say something, Mayor?

Wheeler: You're legal counsel and get to chime in whenever you want.

King: Christe, I would like to leave the opportunity for written testimony only because people may not have appeared here today thinking there was not going to be an opportunity for testimony. Instead, if you are hoping to provide Council some flexibility, perhaps your client could consider extending the 120 day clock or a week or two. We'll know exactly how much time, a minimal amount of time so we get the next Council date when all five members are there.

White: Our interest is in being sure we have a full Council to discuss this important issue.

King: And so is there a full Council available the following week of August 2nd?

Clerk: Council is canceled for the week of the 2nd and the week of 9th. The 18th is the next available.

Ryan: I think that's next Wednesday that the Mayor is driving.

Wheeler: I'll still be taking calls all day, I'll still be doing Zoom meetings. I'm just giving you a heads-up that depending upon where I am, I may or may not, I'm just giving you full disclosure, I'll be on the road. You know how that is.

King: Christe, the question would be, your client has a 120-day deadline that is up at the end of August, August 22. If Council reconvenes the week of August 16, we know all five members will be there but that is a couple of more weeks out. It could be next Wednesday and we may or may not have all five members.

White: That's difficult because of the status of the building and the concerns for leaving it in its current state. So, I think that what we, I'm wondering if what's possible is we set it for Wednesday and if we don't have a full Council that's able to vote either by proxy or satellite phone, that we go to the 16th and associated waiver. But I'm hoping that what we can do is get this complete next week.

King: The hearing is continued, at this point we don't have a 120-day waiver. The hearing is continued until July 28th at 10:15 a.m. In the meantime, there is a motion and second already

on the table. In the meantime, the written record is open until July 27th at 5 for testimony directed at the conditions. Any testimony unrelated to the condition rejected by Council.

King: Christe has her hand up again.

White: I'm trying to take it down, sorry.

Wheeler: Kristin Minor?

Kristen Minor: Thank you very much. I do have a quick question about the condition of approval and I'm wondering if it is possible to get some clarification about that condition. So it is really a follow-up from the question that Carrie Richter had asked, which is about the requested adjustment and I guess the timing of the demo permit. What exactly has to be provided or has to happen before demo? Thank you.

Wheeler: Alright, very good. We're continuing this item then to next Wednesday. 10:15 a.m. Time Certain. The written record will remain open until Tuesday at 5 p.m. and only on the subject that we discussed today related to the conditions that the demolition permit would be subjected to? Does that sound right?

King: Megan, is the Council Clerk able to post the conditions to the Council Clerk website so that people can read it at their leisure and testify to it? Otherwise I can find a way to share it with the parties that testified but I think that would be the best way if we post it to the City's website.

Clerk: Yes, we will add it to the agenda item itself. You'll be able to view it there.

Wheeler: And Commissioner Mapps has his hand up.

Mapps: It wasn't clear if Kristen Minor got a response to her question.

King: It sounded to me like the question was testimony directed at the condition and when Kristen, when you see the condition or have an opportunity to read it that might be a question that you pose or testimony to the condition that you offer.

Minor: My question was whether the condition is going to be clarified before it is published. If not, you know, I guess there's a lot of questions now about really what the condition means. So is it possible that condition could be clarified before it gets published?

King: The condition has already been moved and seconded and is on the table. So this now the record is going to be open for people to testify and if there are clarifications and revisions that you like to see, that would be an opportunity to testify and those requests.

Minor: Thank you.

Wheeler: Commissioner Ryan.

Ryan: Thank you. I just wanted for the public record to make a couple of points. One is that as you know, the file was closed. And so hence, there was no dialogue with all of you in the past week. I wanted to make sure you understood that and we heard that at the same time. Now I want to ask the question to legal and to the rest of us. So now the record is open again. So we can have dialogue with the two parties between now and next Wednesday.

King: Yes. So they can communicate to Council, the record is open. It would not be considered ex-parte contact within the scope of the hearing. Direct communication between individual members of the Council and interested parties is still considered ex-parte contact and they can submit information into the record. I might make one other suggestion, if Council has time since there are individuals that are here and you want to have dialogue and hear some oral testimony at the moment, that is possible. What I'm suggesting is that we don't, we also need written testimony because there are people that potentially did not come today. You're not precluded from hearing oral testimony today.

Ryan: Okay. Thank you. Since my hand is up. I'm open to that. It was kind of uncomfortable to not to be able to have dialogue since the last meeting. I was just going by the rules, and now here we are. I'm open if legal counsel agrees that those that are here at this time that are obviously passionate and attached to this issue to provide any oral testimony. If the rest of my colleagues are.

Wheeler: I'm certainly open to it, I have a hard out at 3:30. I've got PBEM interviews but I would be more than happy to stick around until that time. Other colleagues? Any objections? I have a thumbs up from Commissioner Mapps, Commissioner Hardesty, yes. Why can't I see Commissioner Rubio? Oh there she is, Commissioner Rubio are you OK with that?

Rubio: This does not preclude still keeping the record open though?

Ryan: It's enhancing the transparency.

Wheeler: Basically we're respecting the fact that there's some people that show up today, and you can't show up next week. As long as they're here, we might as well hear what they have to say. So Megan, I will rely on you to figure out might be interested and call on them for us please.

King: Megan will post the condition, share the screen again so that people can speak directly to the conditions. Since this is a little bit on the flight, I want to be helpful to you, Megan. Would you like me to identify who has their hand up and call on them? I don't know if when you're sharing your screen if you can do both.

Megan: Sorry about that. If you don't mind, just one second. I'm going to have my colleague share their screen instead and then I'm absolutely fine to call on individual's names.

King: OK and what I would suggest is that if someone wants to testify, they raise their hand and that's in the bottom right-hand corner and Megan could call on you. It will just be in the order that she sees your hand is raised. In the interest of keeping this somewhat organized today, if people can limit their testimony to three minutes and not testify more than once. I will help try to keep track of that as well. Again, there will be an opportunity for written testimony, so this is only a way to enhance that opportunity for written testimony.

Wheeler: Very good, then Megan, I will let you take from here.

Clerk: We do have the timer in the meeting also, so Lauren time keeping shouldn't be a problem. As of now, I don't see any hands raised. Alright, Kristen, yep I just saw you. You can go ahead.

Minor: Well, thank you for offering us this opportunity. I am glad that you're taking written as well because there's a lot of people that didn't think there was going to be any testimony today. My comments I think at this point are really limited to land use procedures and the code. The code is specifically developed to kind of to follow the comprehensive plan. The comprehensive plan has certain protections for historic properties but allows for obviously anything to happen if we have a public process. I just want to say that the protections in the code for a historic building are really to insure there's a new development that goes through a whole public process. What I'm seeing here, is I'm really worried this is turning into a popularity contest. That is not what any land use proceeding should be. It shouldn't be sort of pitting the Japanese American history against the wonderful mission that the Blanchett House does. It's not about who the people are, it's really about what we have, what we have you know on the ground as the City of Portland and what meaning you know, those aspects and what good those pieces do for the Portland overall. We have to make a judgement about what we're giving up and what we're getting, and I don't see that happening here. It really

concerns me that you're willing to potentially allow an adjustment to allow no mitigation. That's the thing that is really bothering me most about this case the most. I have to say yes, I'm passionate about this building, I'm passionate about the history. And I think there are other people that know more about it that want to make that case to you. In this case, I would really urge you to follow the procedures that we have in the code that is there for reasons. Thank you.

Clerk: No other hands are raised. Oh, there we go, Lawrence, go ahead.

Lawrence Kojaku: Will the Bureau of Bevelopment services have an opportunity to further inform the Council about their arguments for rejecting the requests for demolition?

Hardesty: Answer to the bureaus, is that what he means?

King: I might jump in here. I think you're asking a question to the Council, a procedural question about whether or not BDS will have the opportunity to testify again, or to present?

Kojaku: Yes.

King: Procedurally, BDS has already presented. Now Council is deliberating. We've reopened the record for the sole purposes of commenting on this condition.

Kojaku: Thank you.

Clerk: Carrie. Richter.

Richter: Thank you. For the record, Carrie Richter. I have some, the immediate things that jump out at me about this condition are providing some framework around the goals of stakeholder committee and some milestones and some timing for this stakeholder committee activity to happen. It sounds like if this is just recorded against the site, this could happen years from now. What happens to the building in the meantime? Who is going to be responsible for securing the site and maintaining the building while this happens? That's sort of one basket of issues that comes to the top of my mind right now. Then, how does, I'm assuming then that the committee makes these recommendations let's say that the committee finds that restoration of two walls of the building is critical for sharing the story of the Asian American experience, how will those recommendations be incorporated into the redevelopment doesn't follow immediately after these committee recommendations? I think there needs to be some, the basket of issues that stabilize the building and how the recommendations get implemented between the time when the committee makes

recommendation and development occurs is also critical and missing from this condition.

Thank you.

Clerk: Lawrence Kojaku, I see your hand is still up. Did you have any other commentary?

Kojaku: No, sorry.

Clerk: No problem. Next up is Christie White.

White: Thank you. Christie White for Blanchet House. I just want to be sure that it's clear that our request is to be sure we're returning to Council when we have a full Council, who has been invested in this every hearing and through the application process. If that means we sign a 120-day waiver, we're fine doing that. Second, I'd like to address Ms. Minor's comments about following the code. It's really important to understand here that there are two ways and two different approval criteria that are alternates for each other for pursuing a demolition permit. We are not pursuing a demolition permit on the second alternate, which is to show what the redevelopment is. Instead, we are under option one and therefore we are absolutely following the strict and literal and express allowances of the code and demonstrating approval compliance with those approval criteria. In terms of whether there's any mitigation, I think the condition of approval that Commissioner Ryan has offered is that form of mitigation. Again, under that approval criteria, mitigation is not a requirement. In response to Ms. Richter and her questions about the condition, it seems to me from reading the screen that the timing is really clear, that prior to demolition that stakeholder group which may include more representatives of other communities is established prior to demolition. We would not be permitted to demolish the building until the stakeholder was put together. What I see as the other very clear timing is that prior to coming back for review of a new proposal through Historic Commissions Landmark Review we would be required, again, to incorporate recommendations into the proposal and it seems like there's pretty clear sidebars for how those recommendations are made and what the scope of those recommendations is. It establishes what I think are very kind of clear parameters. We know how to observe them. I think the writing is pretty clear. Second, if there is any question about who is in charge of this building during that time period, it's us. We own it, we've put an incredible number of resources into it to date to maintain it, to make it safe, to insure it. And the longer this goes, the more expensive that becomes to the Blanchet House. Don't let there be any

misinterpretation of who's in charge of this property, it's the Blanchet House, and that liability is ours right now. The point of this process is to remove that liability as soon as we can in order to redevelop it with a use that respects the cultural heritage of the building. Thank you.

Clerk: Peggy Moretti?

Chisao Hata: I think that my name is under Peggy Moretti but this is Chisao Hata. Is that what's happening?

Clerk: Apologies about that, go ahead, as long as you've stated your name for the record.

Hata: Thank you. I want to thank the Council for hearing this and for Council Ryan for submitting the condition. I would like to respond about regarding Commissioner Rubio's concern about the representation of Japanese Americans on this committee. We as the Japanese American Museum of Oregon only represent a small portion of the entire Japanese-American community. I would like to request that we have more representation on there from, I don't know if you need organizations, or people's names, I don't know exactly how this works, but I would just like to make that request.

Clerk: At this point no other hands raised.

Wheeler: Alright, very good then Unless my colleagues have anything to add, this hearing is continued until next Wednesday, the 28th. of July at 10:15 Time Certain. The written record will remain open until Tuesday, the 27th of July at 5 p.m. for this purpose. Is there any other further business on this topic? Seeing none, that concludes the hearing. Megan, I believe that's our only issue for today, correct?

Clerk: That's correct.

Wheeler: Thank you, everybody. We're adjourned.

At 2:50 p.m., Council adjourned.