



June 22, 2022 Council Agenda

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City Hall - 1221 SW Fourth Avenue, Portland, OR 97204

In accordance with Portland City Code and state law, City Council will hold hybrid public meetings, which provides for both virtual and limited in-person attendance. Members of council will elect to attend remotely by video and teleconference, or in-person. The City has made several avenues available for the public to listen to the audio broadcast of this meeting, including the City's YouTube Channel, [eGov PDX](#), the [Open Signal website](#), and Xfinity Channel 30 and 330.

Questions may be directed to councilclerk@portlandoregon.gov.

Disposition Agenda

Audio Recordings

Wednesday, June 22, 2022 9:30 am

Session Status: Recessed

Council in Attendance: Mayor Ted Wheeler

Commissioner Dan Ryan

Former Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Mayor Wheeler presided.

Officers in attendance: Linly Rees, Chief Deputy City Attorney; Keelan McClymont, Council Clerk

Item 552 was pulled from the Consent Agenda and on a Y-4 (Rubio absent) roll call, the balance of the Consent Agenda was adopted.

Council recessed at 11:27 a.m. and reconvened at 11:39 a.m.

Council recessed at 12:39 p.m.

Communications

543

[Request of Robert Butler to address Council regarding Portland Bureau of Transportation negligence](#)

(Communication)

Document number: 543-2022

Disposition: Placed on File

544

[Request of Diana Martinez to address Council regarding support of fur ban](#) (Communication)

Document number: 544-2022

Disposition: Placed on File

545

[Request of Paige Powell to address Council regarding support foie gras ban](#) (Communication)

Document number: 545-2022

Disposition: Placed on File

546

[Request of Tristan Sakamoto to address Council regarding City discriminatory policies](#) (Communication)

Document number: 546-2022

Disposition: Placed on File

547

[Request of Nicole Iorg to address Council regarding homelessness statistics and solutions](#) (Communication)

Document number: 547-2022

Disposition: Placed on File

Time Certain

548

[Authorize Intergovernmental Agreement with Oregon Department of Transportation for Planning and Preliminary Design services for the Interstate-5 Rose Quarter Project](#) (Ordinance)

Document number: 190924

Introduced by: Former Commissioner Jo Ann Hardesty

Bureau: Transportation

Time certain: 9:45 am

Time requested: 30 minutes

Disposition: Passed to second reading

Motion to add emergency clause because timely City approval is so vital for moving forward: Moved by Hardesty and seconded by Wheeler. Motion withdrawn.

Passed to second reading July 13, 2022 at 9:30 a.m.

549

[Amend Evaluation of Applicants for Dwelling Units and Security Deposits; Pre-paid Rent Code and adopt the Portland Housing Bureau's Rental Housing Security Deposits Permanent Administrative Rule \(amend Code Sections 30.01.086 and 30.01.087\)](#) (Ordinance)

Document number: 190905

Introduced by: Commissioner Dan Ryan

Bureau: Housing Bureau

Time certain: 10:15 am

Time requested: 10 minutes

Disposition: Passed to second reading

Passed to second reading June 29, 2022 at 9:30 a.m.

Consent Agenda

550

[Reappoint Kymberly Horner to the Portland Housing Advisory Commission for a term to expire June 24, 2024](#) (Report)

Document number: 550-2022

Introduced by: Mayor Ted Wheeler; Commissioner Dan Ryan

Bureau: Housing Bureau

Disposition: Confirmed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Mayor Ted Wheeler Yea

551

[*Pay property damage claim of Lindsay Tellegen for the sum of \\$5,393 involving the Portland Bureau of Transportation](#) (Emergency Ordinance)

Document number: 190885

Introduced by: Mayor Ted Wheeler

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

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Mayor Ted Wheeler Yea

552

[*Pay settlement of Erica Christiansen bodily injury lawsuit for the sum of \\$30,000 involving the Portland Police Bureau](#) (Emergency Ordinance)

Document number: 190897

Introduced by: Mayor Ted Wheeler

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

Agenda item 552 was pulled from the Consent Agenda for discussion.

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Mayor Ted Wheeler Yea

553

[*Pay settlement of Han Dinh Do Nguyen's bodily injury claim for the sum of \\$24,187 resulting from a motor vehicle collision involving the Portland Bureau of Transportation](#) (Emergency Ordinance)

Document number: 190886

Introduced by: Mayor Ted Wheeler

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

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Mayor Ted Wheeler Yea

554

[Authorize a competitive solicitation and contract with the lowest responsible bidder and provide for payment for the 1900 Building Lighting Upgrades LED project](#) (Ordinance)

Document number: 190900

Introduced by: Mayor Ted Wheeler

Bureau: Management and Finance

Disposition: Passed to second reading

Passed to second reading June 29, 2022 at 9:30 a.m.

555

[Approve and terminate limited tax exemptions for properties under the Homebuyer Opportunity Limited Tax Exemption Program](#) (Resolution)

Document number: 37580

Introduced by: Commissioner Dan Ryan

Bureau: Housing Bureau

Disposition: Adopted

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Mayor Ted Wheeler Yea

556

[*Amend approved application under the Multiple-Unit Limited Tax Exemption Program for SW Park + Columbia Apartments located at 1414 SW Park Ave to increase the number of restricted units \(amend Ordinance No. 188341\)](#) (Emergency Ordinance)

Document number: 190887

Introduced by: Commissioner Dan Ryan

Bureau: Housing Bureau

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Mayor Ted Wheeler Yea

557

[*Authorize the Bureau of Transportation to execute a Flyover Easement Agreement with TriMet for the Gideon Pedestrian Bridge Crossing as part of the Portland-Milwaukie Light Rail Transit Project](#) (Emergency Ordinance)

Document number: 190888

Introduced by: Former Commissioner Jo Ann Hardesty

Bureau: Transportation

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Mayor Ted Wheeler Yea

558

[Authorize the Director of the Bureau of Planning and Sustainability to execute a grant agreement for FY 2022-23 with SOLVE in the amount of \\$850,000](#) (Ordinance)

Document number: 190903

Introduced by: Commissioner Carmen Rubio

Bureau: Planning and Sustainability

Disposition: Passed to second reading

Passed to second reading June 29, 2022 at 9:30 a.m.

Regular Agenda

559

[*Authorize settlement in the matter of Water Avenue Associates' tort claim for the sum of \\$65,000 involving the Portland Water Bureau](#) (Emergency Ordinance)

Document number: 190889

Introduced by: Mayor Ted Wheeler

Bureau: City Attorney

Time requested: 10 minutes

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Mayor Ted Wheeler Yea

560

[*Authorize a grant agreement with NW Health Foundation Fund II, the fiscal agent for Imagine Black, for the Reimagining Safety project for 2022-23 not to exceed \\$100,000](#) (Emergency Ordinance)

Document number: 190890

Introduced by: Mayor Ted Wheeler

Bureau: Community Safety Division; Management and Finance

Time requested: 10 minutes

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Mayor Ted Wheeler Yea

561

[Amend Intergovernmental Agreement with Multnomah County to fund a portion of the salary expense for the County Domestic Violence Coordinator \(amend Agreement No. 30004753\)](#) (Ordinance)

Document number: 190891

Introduced by: Mayor Ted Wheeler

Bureau: Police

Second reading agenda item 533.

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Mayor Ted Wheeler Yea

562

[*Accept \\$25,185,809 in Emergency Rent Assistance Program funds from United States Department of the Treasury \(amend Ordinance 190356\)](#) (Emergency Ordinance)

Document number: 190892

Introduced by: Commissioner Dan Ryan

Bureau: Housing Bureau

Time requested: 10 minutes

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Mayor Ted Wheeler Yea

563

[*Authorize 20 subrecipient contracts totaling \\$5,732,279 for the provision of services in support of providing affordable housing](#) (Emergency Ordinance)

Document number: 190893

Introduced by: Commissioner Dan Ryan

Bureau: Housing Bureau

Time requested: 10 minutes

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Mayor Ted Wheeler Yea

564

[Amend approved application under the Multiple-Unit Limited Tax Exemption Program under the Inclusionary Housing Program for Pepsi Blocks Phase 1A, Building A located at 827 NE 27th Ave to decrease the number of restricted units \(amend Ordinance No. 190051\)](#) (Ordinance)

Document number: 190904

Introduced by: Commissioner Dan Ryan

Bureau: Housing Bureau

Time requested: 10 minutes

Disposition: Passed to second reading

Passed to second reading June 29, 2022 at 9:30 a.m.

565

[*Authorize a contract with the lowest responsible bidder for the SW 4th Avenue Improvement Project](#) (Emergency Ordinance)

Document number: 190894

Introduced by: Former Commissioner Jo Ann Hardesty

Bureau: Transportation

Time requested: 15 minutes

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Mayor Ted Wheeler Yea

566

[Assess benefited properties for street, sidewalk and stormwater improvements in the N Burlington Ave and Edison St Local Improvement District \(Hearing; C-10057\)](#) (Ordinance)

Document number: 190906

Introduced by: Former Commissioner Jo Ann Hardesty

Bureau: Transportation

Time requested: 15 minutes (1 of 2)

Disposition: Continued

Continued to June 22, 2022 at 2:00 p.m.

567

[Authorize a 5-year deferral of single-family residential assessments in the N Burlington Ave and Edison St Local Improvement District \(C-10057\)](#) (Ordinance)

Document number: 190907

Introduced by: Former Commissioner Jo Ann Hardesty

Bureau: Transportation

Time requested: 15 minutes (2 of 2)

Disposition: Continued

Continued to June 22, 2022 at 2:00 p.m.

568

[Assess benefited properties for street, sidewalk and stormwater improvements in the NE 55th-57th Aves and Killingsworth St Local Improvement District \(Hearing; C-10062\)](#) (Ordinance)

Document number: 190895

Introduced by: Former Commissioner Jo Ann Hardesty

Bureau: Transportation

Second reading agenda item 535.

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Mayor Ted Wheeler Yea

569

[Authorize a 5-year deferral of single-family residential assessments in the NE 55th-57th Aves and Killingsworth St Local Improvement District \(C-10062\)](#) (Ordinance)

Document number: 190896

Introduced by: Former Commissioner Jo Ann Hardesty

Bureau: Transportation

Second reading agenda item 536.

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Mayor Ted Wheeler Yea

Wednesday, June 22, 2022 2:00 pm

Session Status: Adjourned

Council in Attendance: Mayor Ted Wheeler

Commissioner Dan Ryan

Former Commissioner Jo Ann Hardesty

Commissioner Mingus Mapps

Mayor Wheeler presided.

Officers in attendance: Anne Milligan, Deputy City Attorney; Keelan McClymont, Council Clerk

Council adjourned at 3:19 p.m.

Time Certain

570

[*Authorize temporary extension of commission cap on third-party food platforms delivery and takeout service fees charged to restaurants](#) (Emergency Ordinance)

Document number: 190898

Introduced by: Mayor Ted Wheeler

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

Time certain: 2:00 pm

Time requested: 45 minutes

Disposition: Passed

Votes: Commissioner Dan Ryan Yea

Former Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Mayor Ted Wheeler Yea

Regular Agenda

571

[Assess benefited properties for street, sidewalk and stormwater improvements in the N Burlington Ave and Edison St Local Improvement District \(Hearing; C-10057\)](#) (Ordinance)

Document number: 190906

Introduced by: Former Commissioner Jo Ann Hardesty

Bureau: Transportation

Time requested: 15 minutes (1 of 2)

Previous agenda item 566.

Disposition: Passed to second reading

Passed to second reading June 29, 2022 at 9:30 a.m.

572

[Authorize a 5-year deferral of single-family residential assessments in the N Burlington Ave and Edison St Local Improvement District \(C-10057\)](#) (Ordinance)

Document number: 190907

Introduced by: Former Commissioner Jo Ann Hardesty

Bureau: Transportation

Time requested: 15 minutes (2 of 2)

Previous agenda item 567.

Disposition: Passed to second reading

Passed to second reading June 29, 2022 at 9:30 a.m.

Thursday, June 23, 2022 2:00 pm

Session Status: No session scheduled

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.

June 22, 2022

9:30 a.m.

Wheeler: Good morning, everyone. The June 22, 2022, morning session of the Portland city council. Please call the roll.

Clerk: Good morning.

Ryan: Here.

Hardesty: Here.

Mapps: Here.

Clerk: Rubio?

Wheeler: Here.

Linly Rees: City council is holding hybrid public meetings with limited in-person attendance in addition to electronic attendance. If you wish to testify you must sign up in advance on the council clerk's web page. You may sign up for communications to speak about subject. You may sign up for public testimony. In-person testimony a may occur from one of several locations including council chambers and the love joy room in city hall. Cc testimony at Portland, Oregon. When testify state your name for the record. Your address is not necessary. Please disclose if you are a lobbyist. If you're representing an organization identify it. Presiding officer [indiscernible] during city council meetings so everyone can feel comfortable welcome and safe. The

presiding officer determines testimony. A timer will indicate when your time is done. Disruptive or conduct such as shouting and refusing to stop your testimony when time is up. A warning will be given.

Wheeler: Thank you for first communications. First individual item 543.

Clerk: Request of Robert Butler to address council regarding Portland bureau of transportation negligence.

Wheeler: Good morning.

Clerk: He may not have joined us.

Wheeler: Member 544 next individual, please.

Clerk: Request of Diana Martinez fur ban.

Diana Martinez: Good morning. Thank you for having me here today. My name is Diana Martinez. I'm with compassionate cds grassroots of volunteers if -- our organization have been working tirelessly to bring awareness of the cruelty of the fur industry. We've been working and trying to urge city council to take a stand against cruelty in Portland. There's been e-mails and calls asking you to take a stand. There's legislature that has been written. If this is something you're not willing to fight for, please let us know and be honest now we feel we have been given a run around for many years. I expect by now you're aware of the common methods of killing animals on fur farms as this is something we've shared with you. I will take a moment to share with you. The animals and fur farms are often killed electrocution. For example, in the wild [indiscernible] in a fur farm they're slaughtered within six months of their lives. Imagine if this was your beloved pet, or dog or a cat. Wouldn't you want this cruelty to end? Doesn't it make you sick or angry to hear that thousands of animals are suffering just so they could become a trend on a jacket or a decoration on a small purse. It's sickening. Over 5,000 Portland residents agree and support the fur ban. Large companies like Columbia and Nordstroms is adopting the stand. We are asking you to take a stand like many others. Portland is the leader in progressive ethics

where a city that values come occupation and respects life. Our organization along with thousands of residents will continue to fight for [indiscernible] ban here in Portland. We will continue to send letters and call until you're willing to listen to your constituents.

Wheeler: You're right. I'm wrong.

Martinez: 10 more seconds. Portlanders who want to be a fur free city. And we expect our leaders to take a stand on the issues we care about. This is something that's been on the radar for several years. I'm asking you again to take a stand against cruelty and pass the fur been a on the scale of new [indiscernible] products here in Portland. Thank you and I appreciate you being here.

Wheeler: Thank you. Next. 545.

Clerk: Request of Paige Powell to address council regarding support for the foie gras ban.

Wheeler: Good morning.

Paige Powell: Hi, I'm here. Can you see me?

Wheeler: We can hear you, Paige but can't see you.

Powell: Here it is. Okay.

Wheeler: Now we can see you. We had you -- there you are.

Powell: Okay. Good morning commissioners. My name is Paige Powell. I'm an artist, I'm a long-time, born and raised in Portland. And I spoke to you all at the last [indiscernible] meeting on February 23rd and I sent a follow up letter the same day with videos attached showing the actual cruelty and barbaric way that ducks are slaughtered and -- anyway. I'm not going to waste your time repeating what I said. You can pull it up from correspondence February 23rd. The reason I'm so concerned about this is just as a humanitarian and wishing for better humanitarian issues here in Portland. There's also deep environmental concerns I have. Also, there's the public health issue as these animals get disease. And the stress they're carrying they can

spread lots of very killer diseases. And so, the other -- the main reason is I live in Portland. I want to be proud to be a Portlander. And live in a kind and progressive city. And I feel like these issues banning of foie gras and why -- one concern I have is that if this doesn't move forward, we're just sitting there with this reputation of nothing's happening in city hall. I know how extremely busy you are and how difficult the situation is in Portland. These are two amazing humanitarian issues that can be pushed out right away. A friend of mine, a global celebrity chef. The food movement globally. A James beard award winner and opening a new restaurant called Kahn with [indiscernible] influences. He is not having foie gras on his menu. [indiscernible] so I will end with that and say thank you very much.

Wheeler: Thank you. I would like to make a comment on this. We've heard individuals such as yourself come in for several months. I will tell you I don't eat it. It's disgusting. The process, the texture and the flavor is abysmal. I choose not to have it. I applaud companies like Nike and you mentioned Columbia sports for not using fur in their products. I applaud that, too. That's what makes us a progressive city. When the people that live in the city choose not to buy the product. Some have said it's only a progressive city if the city council bans a product, so people do not have access to it. That would certainly have the same ultimate impact. But it doesn't make us a progressive city. Means the city council passed a ban on a particular product it's no longer available but you haven't won the hearts and minds. I appreciate you bringing to attention beyond me and others who choose not to consume it or use fur products. Because that is how you win the hearts and minds. My concern about passing an outright ban is this. Do any of you eat bacon?

Powell: No.

Wheeler: Good. I don't either because I think it's disgusting. I used to eat bacon. The problem is I saw how it was made. It was personally disturbing and disgusting. I took it out of my diet. I don't eat it. The problem is there are many other products. I'm not

speaking for my colleagues. That many people could find offensive for a wide variety of reasons and come to city council to say, you should ban this product. I think the better way to go about it is through the market process and continue to put pressure on those who actually provide these products to the public and those who actually consume those products. The reason Nike and Columbia sportswear don't offer fur anymore is the customers insisted they not provide it. That's an effective ground swell of hearts -- change of hearts and minds. That's strategy I encourage you to pursue. I know if this council passes a ban on it and the next thing, we will have a long line of individuals who will have a just argument they could make about other products that should not be allowed to be sold here in Portland. What about leather, red meat, hamburgers. Then you get the geography of the products and who makes them, that's a whole other can of worms. I encourage you to keep coming back. You're not just speaking to this council. You're speaking to a broader audience. In opposition to fur and foie gras. Just personally me speaking. I don't think outright passing bans on products is effective. Now you have it clearly on the record. Next individual, please. 546.

Clerk: Request of Tristan Sakamoto to address council regarding city discriminatory policies.

Wheeler: Good morning.

Tristan Sakamoto: My name is Tristan and I work for the city of Portland. I'm going to be brutally honest and tell you when I provided communications for the first time a year ago I thought you would recognize the errors you made and fix them. After speaking here three or four times it's become clear you have no intention for creating an in -- further more when presented with overwhelming evidence that your policy is ineffective and waste taxpayers' dollars you look the other way. Can you scroll to the chart on page two? That's it. Thank you. In this report breakthrough cases are showing vaccinated individuals are more likely to contract covid than the

unvaccinated. More than half of all covid cases reported are happening in vaccinated individuals. May you please open the ohsu link. Thank you. The ohsu report on patients hospitalized with covid at of today. As you can see this report shows the number of fully vaccinated individuals in the icu and on ventilators far exceeds those that have not been fully vaccinated. This city has not been transparent when it comes to confirmed cases within city facilities. I have received reports that several city employees have reported to work and exposed everyone to covid. When questions whether the employees were wearing masks I was told they don't need to because they're vaccinated. Provides overwhelming every day that the vaccination isn't providing the protection it's meant to. The data has changed. Therefore, policies need to change. When the city encounters an issue, a plan is developed and hopefully find solution. Not only has the plan failed its targeted employees that are protected from employment discrimination whether that be religious or medical exception. There's undeniable proof the vaccinated are not protected against -- as someone who views things from the other side. I'm educating you and you are refusing to see this. If your plan isn't having the desired outcome, you must develop a new plan. Mayor Wheeler after my last appearance you mentioned I had good points and reach out to certainly city personnel. I did. No one is accepting responsibility and the only have swept me to the side because it seems they don't want to do the work required to end discrimination. Perhaps doing the right -- the wrong thing to fit the narrative is more important than doing the right thing. Mayor Wheeler, have you asked city employees how many received a vaccination they didn't want because they felt coerced by their employer? If it's just one person that's too many. I didn't get my pdf in. Whether vaccinated or unvaccinated we all contract and spread covid-19. When will you begin to treat us equally.

Wheeler: Thank you. Next individual, please.

Clerk: Request of Nicole Iorg to address council regarding homelessness statistics and solutions.

Wheeler: Good morning. Take your time.

Nicole Iorg: So, today I would like to speak about the homeless crisis. I do apologize. I sent you guys a written testimony and there's only three minutes to speak. So I'm not the best summarizer. Just to let you know it's time you come to the -- in a way that uplifts and correctly provides a permanent solution that solves a problem here on earth, so the problem never comes back. Homelessness was -- approximately 154 million people worldwide and is almost three years later and nearly 1 million 500,000 homeless people who are experiencing homelessness. As well as extra estimations. Just to make sure we're over calculating, and no one is left behind. Not including the 600,000 projected to be released from the 20 -- from prison in 2022 and the 600,000 projected in 2023 who could experience homelessness. In order to house all these individuals. We would need to build 8,000 apartment complexes. Which is 2.7 million apartments to house every person. They say on average it takes 11 months to build and approximately -- which is 540 billion to build. Before they're built, we need to house these individuals into hotels. There's approximately 5.2 -- Due to the corona virus the pandemic occupancy rate in hotel increased. That means on average 2.3 million rooms were occupied in 220. Which leaves vacant rooms that could have been [indiscernible] imagine no bathrooms, nowhere to wash clothes or charge phone or some experience it for years. Majority of these shelters don't have showers and laundry facilities. It's the first come first served basis. This is why so many revert back to living in tents and forced to live on the streets. I just lastly like to say that people need shelter and tools to succeed in life. They need to be guided to their natural talents. The career paths of choice that makes them happy while giving the resources to [indiscernible] transcend and renew all people while having fun, smiling working overtime in a harmonious structure that

becomes revolutionary and recorded in history as being monumental. While these individuals are in hotels going to need individuals in the community [indiscernible]

Wheeler: Thank you. Actually, I have an idea. It's well written. And you've got a lot of good content. Could we leave that copy with the council clerk and we will all get a copy of it.

Iorg: Is there any way I could -- I sent in an e-mail.

Wheeler: Can you photocopy it and bring it down. I promise you'll get it back in two minutes or less. In the meantime, while commissioner had a question or comment for you.

Iorg: I had one that is longer that I sent.

Wheeler: If you saw my drafts, you will think yours is brilliant.

Hardesty: Thank you for being here this morning. I could hear the compassion and empathy in your voice and that speed reading you were trying to do was impressive. And let me just saw that you've got some really good data. I look forward to [indiscernible] the information you're going to share with us today. Are you connected with a community effort that is working with a houseless community members?

Iorg: I worked pretty -- I volunteer on my own, I go out and feed homeless people I get little Caesar pizza. I -- just seeing the rapid response coming out there. Constantly moving. I schedule a time to speak and I got caught up trying to -- they moved one week and the next week they were forced to move and lost track of making it to the scheduled meetings. I apologize about that in the past. Right now, the most I've ever did, I volunteered with the guardian angels but they're different. They patrol the community and stuff. Other than no. It's been self-reaching out to people. Speaking to the homeless people. They want a change. They're even willing to push a drug-free movement and willing to take drug tests daily. And -- what I'm try to encourage them

to in the future reference abolish prohibit alcohol tobacco. Marijuana. Anti-psychotic drugs.

Hardesty: Let me say there's as many stories as there are people living on our streets. I would never try to paint houseless people being all this or all that. I also want to thank you very much. As a community member that's just taking it upon yourself to feed people who are on our street. There's a lot of that. But we need a lot more of that. And we need a lot more of it with compassion. And I certainly understand compassion fatigue is real. Not if you have that lived experience. Not if you're dealing with it every single day of your life. You don't have time to be fatiguing. You have to keep moving forward. Thank you for your compassion and doing what you can in the time you have. If all of us did what we could in the time we had, we would be a lot further along in helping out houseless community members to find safe affordable housing they could live in. Thank you.

Iorg: Thanks. I should have made it a lot more short. You have a wonderful day.

Wheeler: You only have one scratch out on this.

Iorg: I sent you a written testimony. I tried to minimize this to make it my speech. It was so hard to try to summarize everything. The statistics. It's so much important stuff.

Wheeler: I look forward to reading it.

Iorg: It goes more into detail how to go about the situation.

Wheeler: Thank you. Thank you for being here. We certainly appreciate it. That completes communications, is that correct?

Iorg: Yeah.

Wheeler: Can with go to consent agenda to see if any items have been pulled.

Clerk: 552.

Wheeler: Call the roll on the remainder of the consent agenda.

Ryan: Aye.

Hardesty: Aye.

Mapps: Aye.

Wheeler: Aye. Consent agenda adopted. First time certain 548 a Nonemergency ordinance.

Clerk: Authorize an intergovernmental agreement with Oregon Department of Transportation for Planning and Preliminary Design services for the Interstate 5 Rose Quarter Project.

Hardesty: Thank you, mayor. This hearing marks an important milestone for the city of Portland and state of Oregon. Today we considered not just a regional transportation project, we consider the role of transportation and development of our city. And the role of racism and shaping the look and feel of the geography of Portland. In 1962 odot dug a trench through Oregon largest black community. It destroyed 300 homes and businesses. Displaced the entire Albina community. Instead of a neighborhood we have a trench filled with inhospitable traffic and pollution. All this for the sake of making it easier for people to live further away. The black community bore the burdens of this highway and the city's failed urban renewal efforts in this area. The displacement robbed black Portlanders of more than \$1 billion in wealth counting just the loss of homeownership. Black Portlanders now live in a dysphoria a [indiscernible] metro area. That lack the access to jobs and services and the easy access to downtown that closer neighborhoods enjoy. At various times in the last 30 years. Odot has tried to double down on its racist past. [indiscernible] concept would have made the trench even wider. Exacerbating the pollution and other problems we face. It would have added highway lanes for regional traffic through the area. The city of Portland stopped that plan. The city of Portland pushed for a project that would reconnect the community across the trench. Early promise from oh dot led the city to improve the i5 rose quarter project and plans going to 2012. In 2017 the city supported the state legislature funding the project. These

were -- project. These were contingent that the rose quarter project would reconnect the neighborhood. Time and again odot went back on its promise. Time and again odot -- an advisor to a project that could not be trusted. My predecessor transportation commissioner started the partnership with albina vision trust on this project. Commissioner udali and mayor Wheeler decided to pull out of the project in 2020 because of the nonstop resistance they motioned from odot. Pulling out of a regional transportation project was unprecedented in modern Portland history. Today, I am proposing that the city of Portland come back to the i-5 rose quarter project. It's a big step and been a long time coming. Over the last year I have negotiated an acceptable compromise for reengaging this project. Odot would not listen to us. So we dealt directly with governor brown. It took hours and hours of negotiation and advocacy and hours a with elected officials like Lynn Peterson and Jessica Peterson. Hours with community advocates and the Albina vision trust. I'm proud we negotiated with the hybrid three option. This option will build highway covers that create develop land allowing us to reconnect historically the black Albina neighborhood. Buildable highway covers were not a part of odot's original plan. Odot proposed three and a half acres in bits and pieces over i-5 with hybrid three. We have eight acres. These eight acres will do more than cover i-5. These acres provide the kind of city street grid that other Portland neighborhoods take for granted. They reconnect north flint street and north Hancock Street. Two streets amputated by the original construction of i-5. These acres provide a platform where we can create buildings and community spaces that bring back the neighborhood. With this compromise we have assurance that odot will use congestion pricing to manage traffic and reduce carbon emissions. With this compromise we have assurance that Harriet Tubman school will be moved away from i5. With this compromise we have a commitment that odot will work with the city and the Albina vision trust to transfer the development rights and landownership on highway cover or remnant lands

created by the project. With this compromise we have the potential to set a new standard for minority and disadvantage business contracting. With this compromise we have accountability. If odot breaks their promises again, this agreement makes it clear that we will walk away again. This agreement expires in July of 2024. Limited to the environmental evaluation and preliminary engineering phase. In two years, the project will need to come back to Portland city council to make the case that odot has kept its promises and deserves to proceed to construction. With all these elements I believe this is a compromise we're supporting. It helps us undo the racist harm of past policies. It helps us remake the geography of lower Albina. It helps us begin to heal ourselves. It sets the stage for the if next generation of Portlanders to work with the Albina vision trust to create the inclusive community we all want Oregon and Portland to be. Mayor, I look forward to the testimony today and the council deliberation. I thank you and I turn it back to you. For invited testimony.

Wheeler: Very good. I don't have the list. But --

Hardesty: I do.

Wheeler: Go ahead and invite.

Hardesty: I'm happy to do that. We'll have Winta Yohannes from the Albina vision trust and a representative from the historic Albina advisory committee and community advisory committee member. Will you please come up to the podium in you're in person.

Chris Warner: Commissioner this is kris. P bot is going to do a quick presentation first. Thank you commissioner. Thank you, mayor other members, for the record I'm kris warner director of the Portland -- Portland bureau of transportation. I will provide more context -- authorize intergovernmental agreement between the city and odot we are really here about this, the ongoing work of the community members with their [indiscernible] historic Albina advisory committee and -- as well as the commissioner said. The trust. I'll have our Portland bureau of transportation manager.

Caitlin Reff: Thank you, director Warner and good morning council. I'm Caitlin Reff. Based on the term's agreement, the commissioner helped negotiate earlier this year. In collaboration with the state, the priority focus is on addressing technical conditions and highway covered planning. The IGA suspends the [indiscernible] and requires the project team to return to city council within two years to report progress. The IGA reflects our typical agreement approach with transportation projects. P bot is the main for the city. The IGA is establishing a cost reimbursement mechanism for city staff services. A shared solution. One that restores the street grid to maximize opportunity for community adhesion and development. Hybrid three creates [indiscernible] over the freeway. Reconnects north Hancock to Flint. And relocates the southbound exit. Evaluating impacts and compliance with the city's comprehensive plan and transportation plan. Staff will reevaluate. We'll look at the center and participate in additional public outreach and stakeholder engagement. You can see the project timeline with Hybrid three. The concept environmental review is already underway. It's critical to have the city staff participating in this technical evaluation process. To validate assumptions, contribute to design decisions and ultimately establish concurrence to findings or conclusions. The main construction package is the primary portion that includes city streets and highway covers. Design work is getting started now. ODOT decided to advance [indiscernible] extends north and south and to ensure portions of the project will be shuttle ready. You can see the other image. This is acknowledgment this is a major investment in the Albina area. This concludes the presentation portion. I am joined today by Eric Engstrom as well as Branden Fin in person. ODOT director. And Rose Quarter direction. I will hand it back to you.

Hardesty: Thank you so much. If we could get our invited testimony to come up to the podium that would be great. Were you here for testimony. Don't be shy.

Reff: Staff are all here to answer council questions.

Hardesty: I think we want to hear from community before we do that. Please introduce yourself for the record.

James Posey: Good morning. Council, mayor, my name is James Posey a member of the poac community advisory portion of what we do in terms of bringing this rose quarter project together. I just want to take a say that I'm -- a minute to say I'm pleased you all have decided to come back to the table to work with odot to get this done. This is a historical project. And we know there's historical problems with odot et cetera, at the end of the day odot has bent over backwards trying to bring this project together. I think across the country we recognize when you focus on black people it becomes a for the rest -- barometer for the rest of the community in terms of building the economic capacity. And I was very frightened that we wouldn't take advantage of this historical opportunity to build a community. Make no mistake about it. Can he being the community -- connecting the community geographically does not get to the root cause of why black people were disproportionately -- economics is the basis of that. High unemployment. If you look around. We don't have any black businesses relative to white businesses. It's terrible. And the history of this community is based on those economic determinants. One of the items I want to share with you is that we have a unique opportunity with this black contractor. Not a scam artist. Not trying to take the money and stuff it in his pocket. He's willing to share this broad range of opportunity to make our community whole. And I don't think we have that sort of thing anywhere else in the country. So to lose the opportunity to build community based upon this contract of who has demonstrated capacity throughout this community to help build economic capacity for black people it's huge as far as I'm concerned. So, I just want to say that withdrawing from this project put a negative atmosphere on how this project goes forward. I hope you all would revise your stance and comments relative to not working with odot and try to bring our community together. That's. The real

challenge of working in our community. Trying to bring a community together. I'm thankful that you all have come back to the table. Let me be very specific. I think you all need to establish a formal role with odot and that the project maximize its potential. Because of the historical, I guess conflict between odot and our community. You all needs to do -- need to do something special in terms of healing that process and bringing our community together. For example, I think you all empower your procurement people to look at the elements of this project and maximize the opportunities that are there. I'm speaking frankly. The city of Portland doesn't have clean hands in terms of its [indiscernible] black people and economic opportunity. This is an opportunity to leverage the federal government and your current procurement staff to make the maximum kind of opportunities available to the black community. You have a good staff person now. Historically you all have not had anybody in procurement. You have Biko Taylor now who is a genuine person who understands the dynamics of where we've been and how we bring those things together. Other issues to making streamlining your procurement process and permitting process and building process. It's always been a problem trying to get anything done at the city of Portland. A combination of trying to streamline those processes and work with odot genuinely to get this done will be very helpful. I'm sure. Engage in the coordination of community resources in the neighborhoods. The environmental people and all the other people, you know we ought to try to develop a win-win.

*****: I'm hopeful your city, staff will begin to have a more positive attitude with odot and trying to bring this project together. Here's the other big piece for me is the absence of the business community. The blazers. Legacy. All those people that live around that community. This project are not engaged. They're not to be found. We got to have a total community effort to make this work. And so you all, as leaders in this community, have the ability to engage the blazers, legacy, the williams avenue

business district to pull those people together. To help make this project what it could be and should be. It's unconscionable that project Portland is not on the table. Look at what they're supposed to do. It's unconscionable. So many aspects of the community are working in silos. [indiscernible] and be a leader in terms of maximizing these opportunities. At the end of the day, we have a lot to do to make this project what it could be and should be. And honestly speaking, really, you all have an opportunity to make this project a national model for how you engage the black community on -- in all facets. But most particularly the economic harm. I got -- I can't get to you all -- I can't get into you-all head as to why we can't build out a community where black people can live anywhere. Not just in Albina. They should have the right to live anywhere in this community. And they've been pigeon-holed to live in one space. In reality if they have their economic wherewithal to build businesses and sustain their families, then we've done something seriously successful when we begin to level the playing field where black people can live anywhere in this city. And this particular project has the ability to jump start that. Finally, I just don't want to say I go back to the interstate library and what they did in terms of building our community and giving this historic. We have the essence, the dna of that project. We're trying to bring the elements together to change the dynamics in our community where we can all live together successfully. Homelessness, other issues in our community. Disproportionately [indiscernible] feed the black people and we need to change that. Thank you for your time.

Wheeler: If I may comment briefly. Thank you for your thoughtful statement. I always appreciate your perspective on these matters. One historical point that I want to raise. Which is there's no inherent reluctance on the city of Portland to work with odot. We work with them on a wide variety of issues. Homelessness to litter, graffiti -- graffiti and I would say generally our relationship with odot particularly here in region, one is positive. That doesn't mean we've had disagreements over the years.

We certainly have had disagreements. But I believe the communication have always been clear and open. That's -- that's number one. Thing number two is just historically for the record, we pulled out of this project after the Albina vision project said they were pulling out of the project. And what we heard -- and I want to be clear, the black community is not one voice. It's a diversity of perspectives and opinions just like the rest of the community. But the Albina vision project is an important part of the larger black voice in our community. They were not feeling that their perspectives were being heard or the opportunities for economic leverage from this project were being realized in the initial larger odot vision. At that time, we agreed with them 37 because we had -- we had put all of our hopes and a separation for this project on the record and we did not see those hopes and aspirations reflected in some of the basic mechanics of the project. The lids, encroachment on the schools and other issues. We didn't pull out and say we're taking our toys and going home. We wanted to make a unified statement. The city of Portland, metro region of [indiscernible] and others. That we believed this project was critically important as you said, sir. To the future and not only the community at large but in particular the historic black community. With saw that potential and we want that potential realized. Part of the reason we are here today is we all figured it out. We put our differences aside. We start from a position of trust and to figure this out and meet more of the needs the community is asking for. I want to applaud commissioner hard city and pbot they did the work. I think we got to a right place. I want to be clear. This was not approached from a perspective of our unwillingness to work with people. We wanted to work with odot. We wanted to make sure we did our job as leaders of this community to make sure the needs of our community were heard, respected and included in the broader project planning. I wanted you to have my perspective.

Posey: I appreciate that mayor. I want to make sure you understand when you all pull out one group of people and use them as the steppingstone to make a decision, then you disrespect the totality of the black community --

Wheeler: I want to be clear. We took into account the totality of the community at large, and we did not believe at that time. And I'll stand on that. We did not believe that the best interests of the community were not represented by that initial project scoping. And we're happy with the way it is today. From a leadership perspective I think we succeeded.

Posey: I'm thankful you have come back to the table and worked out a process by which you can do. Again, Albina vision, one group the ncaa or urban league or any of them. None of them represent it is totality of the what the black community is.

Wheeler: Understood. I think we're in agreement on all of the above and we're happy to be back at the table. I always appreciate you providing your testimony. It's always very thoughtful.

Hardesty: Mayor, if I may. I also wanted to be really clear. This is not a, we hate odot conversation. I was nearly for the record putting the history of how odot how land use issues. But city of Portland have [indiscernible] outcomes from the beginning. I want to be clear. That shouldn't be a surprise to anyone that knows about the history 06 land use -- land use planning. I wanted to be clear about that. I've had excellent work relationships with odot moving forward. We have three major projects coming down the pike way and this is just one. 82nd avenue is as significant as the i-5 bridge project as well. Did not want to lead that assumption. I want to talk the opportunity introduce Winta Yohannes to put prepared comments on the record. Good morning.

Winta Yohannes: Good morning. Can you hear me? Good morning. It's wonderful to be with you again for the report. In our work we look to our history to learn how to build for the if future. In many instances this includes reviewing council records to understand the decisions made. Commissioner Hardesty I appreciate your ongoing

moral clarity and unwillingness to sanitize the history so we can understand both what happened and how we can continue to move forward in a productive manner. Mayor Wheeler, you have said much of what I wanted to say to you today which is thank you for your leadership. I don't know we've had an opportunity to publicly thank you for your decision of 2020 that developed in the city work stop order. This order did not mean that the city would disengage. It helps to create the conditions for more effective negotiations and discussions about what the future of this project should look like and how it should fit into this vision for the neighborhood. Because of the city of Portland's clear and decisive action, the community did not get steamed rolled and it's made all the difference protecting the future of Albina. In the conditions they were created we're able to cut through collectively some of the issues that appear to be across purposes but can be woven together to create a coherent project. The short-term, and long-term wealth building opportunities. As well as the need to make the environmental of the quality neighborhood [indiscernible] for the future residents. Conversions that have been made around the highway cover design. The width of the freeway itself have all been important. So, too, will be your leadership on ensuring that we have demand management in place so that the air quality is healthy for the future residents in the neighborhood we talked about last week. For this project have always been really clear and really consistent. We believe that precipitation should -- transportation should here and reconnect. This agreement before us today allows us to move forward and position it is city to guard and advance these all values on behalf of the community. Thank you to all that have gotten us to this point today.

Wheeler: Commissioner Ryan.

Yohannes: Thank you.

Ryan: Thank you for being here this morning. I'm -- the previous testimony Mr. Posey made my brain click on a couple things. As I understand it Albina vision trust was the convener of the work. You brought people to the table?

Yohannes: Yes, we did that through our own organization. In this project, I guess it's worth clarifying what people mean when they say we walked away or disengaged. There was an executive steering committee that was formed by odot after concerns were raised about the state of the project. At that table there were many representatives including Albina vision trust, city of Portland, Multnomah county, metro and a whole host of other partners. The table was set at the direction of governor brown help us figure out a path forward. What happened in 2020 was that there's not a lot of movement at that particular table. So we walked away from the executive steering committee feeling that that was not going to be the best way to influence the future of the project. At that has been -- Mr. Had -- there had been years of work to set the terms and provide a good project to move forward. We walked away. The city of Portland, Multnomah county agreed and said this project doesn't meet the needs and walked from that table as well. We all continued to be engaged because we're committed to this project being successful and a good one. So this iga is the result of the ongoing work by all of us and the communities like the historic Albina board who have continued to move the work forward. This is the family reunion after two years of trying to figure out what this project should look like and how best we move forward.

Ryan: That's helpful. One more question. When I hear silos when I hear there was some exclusion. What would be your comments to say, why would the blazers at the table. I want to clarify that for the public record I just heard that. And clearly, they would have interest in that section of town.

Hardesty: I would recommend we ask odot that question.

Ryan: Because the governor set the table?

Hardesty: The table to get to resolution was set by the governor. Odot set the original table. So I don't think -- I don't think albina vision trust would be the appropriate people to answer that question.

Ryan: Sorry I didn't mean to put you in an awkward position. I heard something and wanted to clarify it. What's in my brain now is -- what I heard was what was the involvement inclusion of say the blazers and [indiscernible] Portland in this process.

Hardesty: Is there someone from odot that would like to answer the business-related question? I will say this is an odot property. So project, so it would be an odot question that should be answered. We don't traditionally bring the business community on a major transportation project unless it will have an impact on their business. I know they will work with them to divert traffic around the improvements. But we're a up years off -- couple years off from that conversation. We're here about moving forward with reimbursing staff for the work they're doing now and the environmental assessment about how we move this project forward. So I suspect when pbot comes back we'll have an answer for you about the blazers and how the other sporting activities will take place -- how will they be impacted and how will we eliminate that challenge.

Ryan: Yes, there will be impacted.

Megan Channell: Commissioner hard city I want to note for the record. I am with odot. The rose quarter project manager and I am happy to answer your question now commissioner Ryan or following the system can come back, I'll defer.

Ryan: Save me from myself. I brought up my question so please answer it.

Channell: So the trailblazers moda center/rip city management, we did coordinate through and with city of Portland [indiscernible] off of management and finance. They were involved in our design sub teams. So really working with us on the details particularly around that intersection right in front of moto where the i5 southbound on-ramp is today and where the on-ramp -- the off ramp will be in the future. We'll

continue that coordination. A meeting yesterday with those entities. That collaboration will carry forward.

Reff: Just to add quickly. The iga terms as in odot project. And public involvement but the city would going forward be reengaged and involved in that.

Ryan: So we had a conversation about the scope of what we're doing with today. Got it. Yet all these dots do connect. This wasn't a waste of time for the record.

Wheeler: That's a good day. If all the dots are connected.

Ryan: Just trying to do my job here. [laughter]

Hardesty: Thank you is there any additional invited testimony?

Reff: Yes, we have Bryson Davis. He's online.

Hardesty: Good morning welcome Bryson.

Bryson Davis: Thank you. I'm Bryson Davis. I've been a member of the historic Albina advisory board the -- for the past several months and former executive of the steering committee with the few of you. And throughout the life of that committee. I have also been a chair of the [indiscernible] Russell project which is three blocks from the proposed covers. I've set many -- sat many hours with design consult assistants on everything -- consultants from broad project design to small aesthetic details. It's been a fascinating process and it's been interesting to see the project take shape. And -- but the potential of this project is about investment. There are many promises odot focuses on when it comes to projects that are all major again fits. A significant increase in jobs and work benefitting black and minority-owned companies. There will be better traffic flow by eliminating a bottleneck. One of the biggest potential the potential to rebuild and reconnect a portion of the community that was divided by the original construction of the highway. This was where -- this is where there's really significant potential for long-term impact beyond just the short-term job provision. The city has been dealing with land affordability crisis for several years now. There's an old saying in real estate that they're not making any

more of it. But this project does give opportunity to make a little bit more of it. And gives the opportunity to take that new area and develop it to benefit the community that was directly harmed by the original interstate project. Now, oh odot does road construction but they don't do road development. They provide caps to highway which can have several blocks of new development. Without the [indiscernible] and expertise the city and the projects bring. With city cooperation the city expertise, however. Like the Russell project the [indiscernible] of the freeway can be turned into a regional landmark and another step toward healing the wounds and wrongs of past government actions. I came to this project through working on the Williams and Russell project. Through that project I have been able to see the promise that the resources and expertise of the city and its departments can bring to a development that's aimed at supporting Portland's black community. I've seen the vision and enthusiasm coming from the city and community engagement to build big things, visionary projects. There's been many criticisms that -- several criticisms were justified when they were made. This -- when they were made. To maximize the potential we need all the resources that we've got in the city and region. Important the knowledge that we have. To move this forward. Commissioner mentioned and mayor Wheeler emphasized the work the city did to steer the project the original proposal to the project it is now. That is exactly the important work and engagement this project needs to maximize the impact of -- that we're wanting to have. I understand the frustrations [indiscernible] live up to its promises. It's been said by previous Oregon politicians that the [indiscernible] would build a highway through the taj mahal. I've seen the impact they've had. The strong commitment and engagement that metro president Peterson has brought to this project has been very impactful. She's been a continued advocate for the will have the longest acting impact. I've also many hours -- spent many hours working with the various contractors and consult assistants that have consistently shown a commitment to maximizing the impact of

the project and maximizing the benefit that this project could bring. Continued [indiscernible] voices including those of us on the historic Albina advisory board. It will be critical to get we want to go and have the benefit we want it to have. And not just be another highway widening project. We -- voices within the department of the city and on this council that have shown time and time again that they're willing to hold odot accountable to -- despite the rough past of odot and project I think this is a chance to build something that has impact on the community. As James said, we had the opportunity to develop a natural model of inclusion and community. We need the city to be a part of it.

Hardesty: Thank you. Does that conclude our invited testimony?

Davis: Yes. Thank you.

Hardesty: Mayor, I'll turn it back to you to see if we have public testimony. Could you tell us? Do we have individuals signed up.

Clerk: We've seven people signed up. First, we have Chris Smith.

Wheeler: Good morning, Chris.

Chris Smith: Good morning. Chris smith. Because of all the discussion going on about the ibl, I am obliged to tell you I'm a registered lobbyist on behalf of [indiscernible] we're not here to talk about iga we're talking about rose quarter. We're celebrating the achievement of our friends at Albina vision and the to reconnect Albina. We're mourning the missed opportunity on climate. The faces I don't see around the table today are the [indiscernible] live with the climate impacts of the freeway widening in the future. You have [indiscernible] and the Elliott neighborhood and neighbors for clean air. We've been partners on litigation over the environmental impacts of this project. And there's a significant missed opportunity in this iga. We're in -- situation where odot is talking with you about how we're going to price i-5 from the boon bridge to the newt bridge north. At the same time in the environmental analysis for this project they said, pricing is not reasonably

foreseeable. Your own climate emergency declaration said we should consider -- will do it in the other direction. Program the expansion and then talk about pricing. The missed opportunity here is to have a complete environmental impact [indiscernible] including pricing as an alternative to widening. We could find we could cap the existing freeway and manage the pricing get the same benefits while dramatically reducing the impacts. I urge you to take this off the table and renegotiate on the full environmental impact statement with the appropriate set of alternatives. We've allowed climate justice to be pinned against racial justice. In the long run we can't win -- while we can congratulate our friends moving [indiscernible] Albina forward this is still a huge, missed opportunity. Thank you.

Wheeler: Thank you.

Clerk: Terrence Hayes

Terrence Hayes: I am Terrence Hayes. I do my best to speak from my own experience as on Oregonian and talk about what I think this do. I -- project can do. I came home from incarceration about six years ago. Recently my wife and I was able to buy a home. We were able to do that because we had the support of companies like ray moor construction and the division transit project led by trimmed. By having very conscious entities working with individuals like myself to help build my understanding of business. To help build my understanding of we were able to purchase our new home. And for me this is the first home purchase in my family. I've been really blessed to build and be a part of this process with the rose quarter improvement. Project. And working with odot, ray moor and Hamilton sent joint venture. I uniquely speak as a black man a byproduct of the original actions of systems like odot and red lining. The things this city allowed during that time. Everybody has a level of accountability to that. Not just odot. It's easy to paint them as some monster. When I look at the work they're doing now we're working with individuals from our community. Not stakeholders not fancy acronyms. Individuals

doing work in our communities now. Reaching to odot to have private conversations about the needs of my community. I think that says a lot about what this project can do. I see there's lots of concerns and those concerns are fair and just. And odot and the city need to take climate [indiscernible] into consideration. When we talk about the black community, the community that was more affected by that original red line than anybody else, we have to hear from folks from that community. When we talk about affordability based on the different options, we're a long way away for black folks being able to afford that area [indiscernible] and provide grants and opportunities, right. I'm a byproduct of what intentionality can do. My challenge to everybody is to look at those standards, look at the life of folks like me who was never supposed to own a business and I do. Never supposed to have home ownership and I do. Look at what it took me to get there and my family to get there. I'm grateful the city is back at the table. If you look at me, I'm not a great systems person. I battle and tug because I want to type of change. This is unique and amazing. I'm happy the city is at the table. I look forward to the work being done and any way I can help every day from the hood as we say. I'm here, I'm willing and I really hope we can use this as an opportunity build black business -- economics and homeownership. Every day I'm getting calls about burying people in my community. Nobody this table is caught off guard by the [indiscernible] and gang violence. Positivity brings criminality. We want to change, and we have to give the black community access to business, economics and homeownership. I do believe odot is at the table. The city is sincerely at the table. If we can get this done then folks like myself can attack those economic issues in our community and curb the violence.

Wheeler: Terrence, it's great seeing you. Congratulations to you and your wife on your new house. That's exciting. Big news.

Hayes: Absolutely huge for us. Thank you, guys.

Wheeler: For anybody. Congratulations. It's great to see you in person. Thank you.

Next.

Clerk: Next Cinoba Hayes. Then we have Terrance again? No.

Hayes: No. I didn't know what I was doing when I signed up.

Clerk: We have Lynn Handlin.

Wheeler: Is Lynn online?

Clerk: We're trying to get them connected. Lynn are you able to unmute?

Lynn Handlin: Yes. That technology took a while. Sorry. My name is Lynn Handlin I live and work in outer southeast Portland. The forgotten part. Do not support the widening part of the rose quarter i5 freeway. Capping the freeway is -- should absolutely go forward. I know this is taken lot of hard work to fight odot and get this project done. I know it's actually fighting odot. Do it without widen the freeway. The actions do not match the words nor does your budget. Widening the freeway will increase the number of vehicle miles driven. We all know this. Many decades of studies have this over and over again. Any lessening of congestion will be short lived and bad as ever but more lanes. I know you all understand about induced demand, the build it and they will drive principle. Build wider freeways more people will drive, and you'll be adding fuel to the fire of the climate crisis. We're coming up on the anniversary of the 116-degree heat dome of last year. A lot of people died. Is 116 degrees not enough to take this seriously. We need more and better public transportation that will absolutely reduce congestion but it's sadly lacking and not getting much better. Odot has always been and still is about freeways. Widening and adding to them. Not so much aa public transportation. Now is not the time to add to the climate crisis by widening freeways. I see a lot of nice trees drawings. Reminds me in my business association regarding the division street project. That project is mostly done not a tree in sight. The tree island is worse, not better. I do not trust p bot or odot. Now is the time for bold action on the city. Fight the freeway widening part of

this project. I what Chris Smith had to say earlier. And hope you will reconsider the widening part of the project. It shouldn't happen. Now is not the time. Think of the kids.

Clerk: Tony jones.

Wheeler: Good morning.

Tony Jones: Glad to be here. Good morning, mayor, my name is tony jones and chairs of economic development for -- the agreement with odot for planning and preliminary the signing services. This is a key step to initiate an instrumental partnership between the jurisdictional stakeholders. The [indiscernible] help requests the leadership of governor brown in 2021. With the governor's leadership, jurisdictional and bipoc members met. [indiscernible] continue to contribute to success of the significant project. This project will establish a statewide and national model for economic sustainability for the groups that face the economic disparities. Black, indigenous and people of color. Starting in 2023 Hamilton -- will provide \$16 million in wages in minority and women workers. And 25% of the subcontracts to db first times for the early work packages. This will provide an economic infusion for black households now which economist. 39 million of the estimated 100 million earned by women and minority men. With the pipeline transportation project such as 82 avenue, interstate bridge this project pave it is way for economic sustainability which our community desperately need. Thank you.

Clerk: Next we have Nate McCoy.

Wheeler: Good morning Nathan.

Nate McCoy: Thank you. Happy to be here this morning. For the record my name is Nate McCoy. The executive director of the national association of minority contractors. Oregon chapter. I want to first honor Juneteenth which we all just celebrated as a federally recognized holiday. I want to start with my testimony with a passage. I went down the rabbit hole of reconstruction in our nation's history and I

was reminded by a quote. The bones of my race who depend on bettering their condition our greatest danger is that the great leap from savory to freedom, we may overlook that the masses of us are to live by productions of our hands and fail to keep in mind that we shall prosper in proportion as we learn to dig fie and glorify common labor and put brains and skill into the common occupations of life. That is booker t. Washington. I think have the opportunity to do more. What we've worked at [indiscernible] on longer than my seven years here at namac. For decades upon decades. Leading off of what James Posey mentioned with trimmed as a model. We worked with odot. We've not trusted them for many years. We're now at a new place like many of our other partners including city of Portland trying to turn the page towards more economic opportunity. Applaud commissioner Hardesty who has been one of the few who reached out to me many times to ensure we're bringing our whole community along. I hope other commissioners that may not know me as we we get the opportunity also know each other and learn each other's business better. I go back to supporting many of the things that were seen as compromises. We mentioned hybrid three. That live up to the true vision and potential. We saw the relocation of dollars being received by Tubman middle school in the youth interests. The one question I have that I feel like is still unanswered be my in the small business community is what are you doing for us? And not just the iga which is a positive thing, and I hope you approve that today. But this is only the beginning and as Jo Ann said, we have many other projects. And I could name a whole lot of other projects within your portfolio and I tune in and see project after project not hitting goals. So while I don't want us to get distracted with what's happened in the past I want to center on where we are in the future. We're working on the dost levelling they are ensuring us they see this and other projects as a beacon for the whole nation. They've been [indiscernible] namac every step of the way. And we want to ensure we get the same kind of support the city council as we advanced passed

today. I applaud everybody bringing the folks back together and hoping that namac will continue to see homeownership, work force development, and real job opportunities in our community. Including work force housing commissioner Ryan. I look forward to futures conversations and thank you for the time and I think this is a positive day question are moving something meaningful for our communities. I will stop there and I appreciate the time to be in front of you.

Wheeler: Thanks.

Hardesty: Thank you. I wanted to put on the public record what a positive partnership with namac has been as we expand the opportunities available. We got a bucket load of opportunity coming down the pike that we need to be very thoughtful about making sure that this status quo, the outcomes that we've always achieved are like blown out of the water and we get to do a whole lot better. I agree -- a breath of fresh air when it comes to looking for other ways to make opportunities available to those who have not had these opportunities in the past. And I will say this publicly, nate like say this every time. We're not creating small business owners with the billions of dollars in transportation projects coming down the pike we will have once again failed miserably. So as long as I'm here I'm a champion of making sure that we are actually walking our talk. I look forward to continuing the work with namco because again, we have a lot of major projects coming down the pike and none of them -- well one of them is a city project the 82ened avenue. The other are state projects or regional projects that we're using all our influence to impact. So I appreciate you being here and weighing in today. Thank you.

Clerk: That completes testimony.

Wheeler: All right. That completes public testimony.

Hardesty: Thank you, mayor I -- first let me thank everyone who provided testimony here today. This has been, if we spent all the time explaining how we got back to the table this would have been a 16-hour meeting. We saved you from that process.

Here's what I want to put on the record and I want people to know. As your transportation commissioner, I am committed to us operating in good faith with the conditions that have been laid out in the IGA. And I expect ODOT to be good partners as they have been in my time in working with them. But again, we have to remember when we're talking about projects we don't control, we get some pieces of it that we get to make better and then we get other pieces we have to make sure that we're putting the political pressure on like, for instance, the tolling conversation. That is a conversation I agree with whoever said that. Coming way too late in the conversation. I want to know how much it's going to cost to get over any bridge. But, again, that's not a decision that the city of Portland controls. Understanding the significance of us moving forward on this project, mayor, I would like to make a motion that we add emergency clause to this ordinance so that we can actually commence the work that we've heard today that is so vital.

Wheeler: Commissioner Hardesty moves. Can I get a second?

Mapps: I have some questions I would like to pose.

Wheeler: Sure, let me second so it's on the table. And commissioner Mapps has questions of staff.

Mapps: Thanks for being here today. It's great to have so many interested players in the room. I should also say I'm a relatively new character at this table. So I might be catching up a little bit. So provide some background -- trying to achieve with this project.

Channell: I5 rose quarter improvement project is, yes. The transportation project as you've heard from the testimony today and leadership with your commission, it's a community building project as well. And so, when you look at the transportation components, we are addressing the state's [indiscernible] on I5 where three interstates come together. 84 and 405 at the Fremont bridge intersect. By addressing the state stop bottleneck we're adding auxiliary lanes that go from one ramp to

another. Ramp to ramp connection to improve traffic flow. We're coupling that with shoulders, full shoulders. So that there's space for emergency responders to pull out of traffic to get to an incident. So that's what's happening on the transportation side. This project is so much more than that with [indiscernible] we have this opportunity to really reconnect a community that odot disconnected and doing that by elevating [indiscernible] And continued partnership with the advisory board. We have the contracting authority. So we're being [indiscernible] on who is building the project. So we have now the state's first diversity [indiscernible] plan. In place on this project. Which means we're building in that intentionality for not only establishing the highest [indiscernible] enterprise of 18 to 22% for the project, but is the [indiscernible] of that. What are the technical assistance can mentoring components that are built into is that. That's the work that we can directly impact in the diverse workforce associated. In partnership with the city, we're hoping to achieve is that the highway cover benefits the historic Albina community. And provides the economic long-term generational [indiscernible] opportunity. The catalyst or the canvas for how that also further support lower Albina in partnership with what is envisioned with Albina trust in that broader area. That was longer than a nutshell. But that's project overview.

Mapps: Thank you. I'm still trying to understand this as an infrastructure project. Do we have estimates on how this will impact traffic congestion or traffic safety or emissions. Will those things get better after we do this or do we expect them to stay the same, get worse?

Channell: Thanks for that question. We do know that the project the auxiliary lanes will have an improvement on improving safety. Particularly on i5. [indiscernible] we see the potential for up to 50% of those frequent crashes on i5 to be reduced with the safety measures we're putting in place. Annually 2.5 million hours of delay will be saved by the project. We see significant safety benefits on the local street system to

with improved bicycle and pedestrian and infrastructure as well. So I'm getting into the details with the city of Portland and pbot staff. We that substantial benefit as part of the project. To you question ability emissions. -- question about emissions. We're in -- that incorporated hybrid three into the project. We know from the original assessment is that this project does have a slight reduction in air quality pollutants and greenhouse gas emissions by factor of improving the traffic flow reducing the idling traffic on i5. We are updating that assessment as well to incorporate hybrid three and that information will come out later this summer or early fall for public review. So updated information forthcoming.

Mapps: Thank you. I may come back to you in a second. In the meantime, I think I would like to pose a couple of questions to director warner. Director Warner, thanks for being here. Always good to hear from you. Although I -- the idea was added a couple teams. I wonder if you could explain how we got here. I believe almost exactly two years ago this council came together and chose to halt its participation in this project. And we're deciding to come back to the table. I guess from a policy perspective what's changed?

Warner: Thank you, commissioner. Again, Chris Warner for the record. I do think as we've [indiscernible] we can do this two ways. If we want to be a regulatory agency [indiscernible] city wants to regulate and not be a partner [indiscernible] project and that is one route we could go. What we have found is a lot of people come to us and say what does the city think about this [indiscernible] participants. By engaging with the governor's office and [indiscernible] on creating hybrid three, we really have been able to create a path forward for us [indiscernible] not only with our partners at odot but with the community in really trying to [indiscernible] project towards something that really does meet the city's and values -- goals and values [indiscernible] it's been a lot of elbow grease. What it has been is us really making [indiscernible] projects aren't going to be as successful and aren't going to have the

cities values. I want to put my hat off to the entire group [indiscernible] really coming to this proposal with hybrid three that really allowed us [indiscernible]

Mapps: Okay. Thank you for that. Maybe –

Hardesty: Did get cut off.

Mapps: Yeah. I have the lapel mic. And there's a little bit of an elephant in the room. It would be helpful on the table. Today we heard from many community members we're excited about getting the surface streets back together. We heard from environmentalists, too. What should -- we didn't really compare it to the volume of the mail I have in my stack. We didn't hear a bunch of environmental concerns about this project. I don't know if this is an odot question or pbot question. What should this council do with concerns of this project that is perhaps inconsistent with our environmental goals? As I think someone pointed out we're probably a couple days with -- away from the one-year anniversary of the heat dome. We all said that finding climate change is one of the top priorities.

Warner: I see that Eric and Caitlin are both here. Certainly, if this project is moving forward, we are a value add in terms of where we're going in how we can make sure that consistent and I don't know if you want to jump in.

Reff: Happy to. Thank you. I do think one of the testifiers Chris who mentioned the work of no more freeways. That testimony was regarding congestion pricing and the city's long-standing position the congestion pricing needed to be in place prior to the completion of the rose quarter. Megan can speak more specifically. The agreement that commissioner Hardesty helped negotiate at the governor's table is part of the iga, references the state and regional understanding that [indiscernible] pricing is an important tool to reduce greenhouse emissions. And mitigate impacts of pricing to experiencing low income as well as help fund safety and local street and transit improvements. As part of the completion approach to greenhouse. Odot is advancing that work through the regional mobility crisis program. There's a

[indiscernible] parallel. Concurrent it's not the same as the [indiscernible] process for the i5 rose quarter project. We continue to advocate. Commissioner Hardesty is at all of those tables. In terms of pricing and climate around that. I don't know. Megan, if you -- maybe the other thing I will say. The local street -- connections this area is part of our city. I understand sufficient pedestrian bike and transit facilities. We will be focused on making all of those connections up to our current design standards to promote the mode shift within central city and through important connecting area.

Mapps: Thank you. I would be great to hear from odot and plans and timelines.

Channell: Commissioner Mapps, I believe our urban mobility office director Branden Finn is in the group. I may know a friend here. He can speak to our urban ability office. Broader urban mobility strategy. How that builds into the thinking.

Brendan Finn: Mayor, we're bring up Brandon flow. I want to say that will be an Oregon transportation commission decision. And not a decision left up to odot tort city of Portland or any of us in this room.

Mapps: Thank you.

Finn: Commissioner hard city that is correct. For the record I'm Branden Finn. Director of odot mobility office. Good to be back in this building again. Commissioner Mapps, thank you for that question. The regional mobility pricing project. A series of investments to create more safe and resilient system that will create a demand that will be created on that system. We're going through that initial process. We look to get that in 204. We hope to get that running by quarter four 2025. Prior to the completion of the construction of the rose quarter improvement project.

Mapps: Okay. Thank you. That's very helpful. I have a couple more questions but I'm not sure if you're the guy.

Finn: I will be here.

Mapps: Are engineering questions about the cap. You I don't know who those would go for it's my understanding one of the things projects will do is build a cap on top

of the freeway creating eight new acres for development. That's great. I'm excited to hear about this. Just in -- intuitively I'm curious about the emissions that come from under the tunnel. Right now, we're concerned about schools being adjacent to the highway and now we're talking about putting literally homes on top of a highway. I'm sure there's an engineering fix. But if someone could tell me what the engineering fix would be. I'm curious to hear it. So maybe you understand this one.

Channell: I am happy to. Frankly a lot of this work is exactly what we have ahead. At the baseline we'll implement a fire life safety system that does include ventilation for the area underneath the highway cover. What ultimately will be developed on top of the core. We will have that conversation of that fire life safety system and of the development design of what the actual structure is of the highway cover [indiscernible] so that is the work that we have ahead. This work is part of -- you heard Caitlin allude to early work package -- that work is part of the main construction package. That design process will carry forward through and into 2025. So we have time -- time for those conversations as well.

Mapps: Thank you. This is probable a pbob question and probably my last question for the day. We add these caps which creates eight new acres of buildable land. Who owns that land and how does that decision get made? I will start with Chris and if Chris is not the right buy.

Warner: I think that is a Megan question. I think that is odot land.

Mapps: Odot land.

Channell: The land on cover that is physically on the structure that is on i5 will always be owned by odot and has everything to do with being over and interstate system in partnership with our [indiscernible] opportunities off cover adjacent to the highway cover that we're using during construction. But don't need for the future transportation use. I think there's opportunity there for creative approaches for future ownership. I'll also add that with the ownership, with odot maintaining ownership

with the highway cover we can get creative in long-term lease agreements. Air rights agreements. Taking the information from in the meantime highway [indiscernible] and of course, last year. And seeing how we can move forward with those types of leasing on the cover while seeing the ownership opportunity off cover.

Mapps: Maybe a -- maybe I miss understood some stuff. Up until this moment I got impression that we covered the highways and cap. Is that not the plan to build housing on top of the caps?

Hardesty: If I may commissioner Mapps. We are getting way into the weeds of something that will happen 10 years from now when we're both old and gray. What we're here to discuss [indiscernible] iga about how we work cooperatively together around this vision of moving forward. We don't know what the environmental assessment is going to say when it comes back, but the federal transportation administration is required a new one. With these major transportation projects, they -- they're never shuttled until they're actually settled. They are a moving live organization that will continue to adapt based on best knowledge that we learn as we move forward. I want to refocus back on today's conversation is all around making sure that p bot gets paid for the work they're doing today to actually get us through the environmental assessments. We -- process we will be back at city council in two years for any approval in moving forward. I don't want us to get so bogged down in the weed that we're forgetting the big picture of why we're here today.

Mapps: I still like the cap question answered?

Hardesty: Nobody knows the answer to it today, commissioner Mapps. Until there's an environmental assessment about whether or not we can in fact build caps. We want the caps. We have a model which is option three that we will be evaluating it for whether or not it will do all the things we want it to do. The cap conversation is way, way too premature. We don't even know today. I cannot say to you today we will build a cap. That's the vision we have. Cost, environmental assessment, a whole lot of

issues will come into play before we have a clear -- before we have a clear picture if there will be caps.

Mapps: I will hold the rest of my questions.

Wheeler: I have one follow up question and Keyland so you're aware can you let the closed captioners know in eight minutes we'll take a break. We'll probably take it after this item. I have a question on the congestion and climate aspects that commissioner Mapps raised. I found that to be an interesting back and forth. And I think Megan, it was you who answered the question. Maybe it was Caitlin or somebody else. I don't need to necessarily know the answer today because I heard you say that there's more data that's going to be collected and a specific report issued with regard to this project and its impact on climate and I will receive that report with great interest. The question I want to put out there for the development of this report is what is the assumption about the nature of the vehicles? Somebody raised during public testimony the issue of induced demand. And that has been well studied. My question is demand for what kind of vehicles? We know what the mix is today. Zero emissions versus non-zero emission vehicles. This is a project that is going to be in place, hopefully, for at least 100 years. I would like to know the assumptions about the adaptations of the zero emissions transportation. From my perspective induced demand only matters if you're creating an induced demand for carbon-based vehicles that pollute. I really don't have a good sense of understanding what the adaptation rate assumptions are. I assume you have an assumption because I don't know how you can do the analysis without it. I don't need the answer today but [indiscernible] when I'm in receipt of the report. Thank you. Commissioner Hardesty I think that -- commissioner Ryan.

Ryan: This is a technical issue that you probably have the answer to. You've been working with metro and county and I heard Jessica Peterson represent the county. Are they involved in similar discussions?

Hardesty: Yes. They were part of the team that met with governor brown to work out this iga. They don't really have a local, but they've been strong partners and allies. As well as metro.

Ryan: They're not involved the iga conversation.

Hardesty: This is specifically between the city and odot. And because honestly because I needed it in writing. I couldn't trust. Be able to verify it later.

Wheeler: Very good. So commissioner put on the table and amendment to make this an emergency ordinance.

Rees: I will very briefly read it to make sure -- reflects. The council declares emergency exist because timely approval this ordinance will be in full effect after its passage by council.

Hardesty: That is the motion. I will withdraw if there's opposition to it in any way. We need a four/four vote.

Mapps: I suspect I will vote for this when it ultimately comes before council. However, especially since our conversation today was constrained and I know that Portlanders care about this project a lot. I would like to keep the record open and treat as a regular ordinance.

Hardesty: So I withdraw the motion to make an it an emergency, and mayor you can pass it to a second reading.

Wheeler: Very good. The amendment is withdrawn without objection. And this is a first reading of a nonemergency ordinance. It moves to second reading. Great conversation. We will take a break in just a second. I want to let people know what's coming. That took four times longer than estimated. Which means we're very backed up. And I apologize that I have a hard out at 12: 30 today. I propose we take a 10-minute break so we don't lose -- don't lose our closed captioner and power through what we can power through and since we will not have the ability to do emergency ordinances beyond that. What I propose is we move remaining emergency

ordinances to this afternoon's session following our time certain. If that works for everybody. Great.

Mapps: Mr. Mayor, are we break yet?

Wheeler: At 12: 30 I will adjourn the morning session [indiscernible] and move the remainder until after the time certain this afternoon. Thank you. We're in recess.

Wheeler: Back in session. Thank you, everyone. So colleagues, during the break here's what I scoped out in terms of our agenda going forward this morning. We're going to start with the second time certain item, which is 549. After that, we will go to the regular agenda and do 559, 560, 561, 562, 563. We will then skip to 565, which is an emergency ordinance. We will then skip to 568, which is a second reading. We will then do 569, which is a second reading. We will then do 552, off the consent agenda, which is an emergency ordinance. And then we'll go back and do the nonemergency first readings, 564, 566, 567 in that order. We'll probably not get through all of it. But that's the order in which I would propose we take this up and we can get to 12: 30.

Clerk: Amend valuation of applicants for dwelling units and security deposits, pre-paid rent code and adopt the Portland housing bureau's rental housing security deposits permanent administrative role.

Wheeler: Commissioner Ryan.

Ryan: Thank you, mayor. This ordinance involves two existing city code provisions, the fair access and renting code or simply fair. Provides tenant protections regarding screen criteria and security deposits with respect to housing relates in the city in addition to the requirements under the state law. The code amendments being proposed will result in a lawsuit that was brought more than two years ago against the city. Without monetary payment and our intended to retain the key protections advanced by fair. I will turn it over to deputy city attorney for additional information about the settlement that is being proposed. Please take it away, Mallory.

Mallory Beebe: Thank you so much, commissioner Ryan. The our lawsuit against the city in February of 2020. The fair code provisions the constitution, Oregon constitution and state constitution and state law. The settlement will resolve that lawsuit [indiscernible] a number of changes to the existing city code. Which are being proposed as follows. First, the settlement proposes to amend screening criteria code to clarify the [indiscernible] will prequalify and improved applicant for rental opportunities at the property within the city of Portland and that language in the city of Portland is what is being added and the remainder of that provision remain unchanged. Seconder, the security deposit code will be amended to remove requirements related to the depreciation schedule. Third, security deposit code to define the term, discrete impacted area. To clarify [indiscernible] for how a housing provider may apply security deposit funds, which respect to repair or replacement of flooring material. Fourth, the proposed amendments change the process for documenting the condition of the unit at the beginning of the tenancy, to include a walk-through of the unit, [indiscernible] and the tenant if possible. And remain the third-party validation process through the event of a [indiscernible] more closely mirror the damages provision in the screening criteria code. And finally, the proposed [indiscernible] will amends the security deposit administrative [indiscernible]. Primarily to be consistent with the other code changes that are being proposed. The city attorney's office recommendations approval. I'm happy to answer questions. Otherwise that concludes my remarks.

Wheeler: Colleagues, any questions? Commissioner Mapps.

Mapps: I would appreciate if legal counsel can summarize why you recommend taking the settlement.

Beebe: Generally we recommend taking the settlement for a variety of reasons to mitigate risk potentially in the event of additional lawsuits that could be brought to challenge here. And these cases bring with them the opportunity for a prevailing

party to [indiscernible] which can be significant in a case like this. So that is also one consideration. And to just really bolster and clarify a number of the provisions of the code [indiscernible]

Mapps: Okay. Thank you very much.

Wheeler: Thank you. Is there any public testimony on this item?

Clerk: Yes, it looks like five people signed up. First up we have --

Wheeler: Can I recommend two minutes, please, name for the record and I apologize to make this slightly shorter, I'll be somewhat flexible. If people can keep the testimony within two minutes, please, we would appreciate it.

Clerk: First up Laura Golino de Lovato.

Wheeler: Good morning.

Laura Golino de Lovato: Good morning mayor and members of council. Thank you so much for the opportunity to provide some testimony on this. I'm the executive director of northwest pilot project. As you may know, we provide housing placement assistance to low-income older adults that are unstable in housing or moving from homelessness into housing. I'm a commissioner on the rental services commission and happy to have been serving on that commission since its inception and original appointment by you, mayor Wheeler, thank you. As a commissioner on the rsc, I was involved with my colleagues on commission in reviewing the fair ordinance. The requested then commissioner Eudaly providing input and expertise, discussion a little blood, sweat and tears and arriving at a fair ordinance that provided the tenant protections balanced with what we heard from landlords and housing providers. I'm very disappointed that the rental services commission and the expertise on the commission was not consulted in responding to this lawsuit. I understand that the lawsuit means there can't be public discussions but certainly the rsc is a valuable tool for the city to utilize and we are here for you. I would urge you to delay the vote and come back do us for consultation in particular, reducing the fine for damages from

two times security deposit to a payment of \$250 really defeats the deterrence of that part of the original language. I wish I had another minute. But to keep in time, thank you very much.

Wheeler: Thank you, appreciate it.

Clerk: Next up, Lauren Everett.

Wheeler: Good afternoon.

Lauren Everett: Thanks for having me here. Lauren Everett, an organizer are Portland tenants united. Three years ago, almost to the day, I sat in city council chambers alongside hundreds of representers to explain why fair is needed. Portland made national news bypassing this important policy, becoming an innovator in tenant protections. That's why it is heartbreaking to explain again why we need this policy. As you know, the pandemic has been especially devastating for renters and in particular, low-income and households of color. In this time council has not implemented any new permanent tenant protections or emergency rent freeze. Council is prepared to eliminate the core of one half of this important policy. The depreciation schedule is a crucial piece, it addresses one of the most common issues, which is dispute over security deposit withholdings. Sometimes they arise out of objective views of what is normal wear and tear, not defined in state law. Some is acting in bad 98 and trying to steal the deposit. We hear it happening to low income, tenants with disabilities and color of especially. And bear in mind, under state law, [indiscernible] required to carry out any of the [indiscernible] or billing for beyond the actual deposit. Low income renters, these are essential to access, [beeping] between being housed or entering homelessness. This is why reducing the potential for dispute by being specific about the value of items is important [indiscernible] cost of a brand-new item to replace another item which is passed the life expectancy if in good condition. This comes in the midst of inflation and the value of wages dropping, [beeping] 15% and few working class Portlanders can afford to buy a home. This is a

step backwards for Portland renters. I'm asking you to vote no on this passage of amendments. [indiscernible] thank you.

Wheeler: Thank you.

Clerk: Next up Margo Black.

Wheeler: Good morning.

Margo Black: Good morning, commissioners. I'm going to read fast but I would like to register tenants always had their testimony cut to two minutes at every city council meeting in the last seven years. Good morning, mayor and members of council. Thank you for the opportunity to testify today. My name is Margo black, a community organizer, tenants' right advocated and former rental services commission. 4: 30 p.m. On Friday, I got an email from the commissioner Ryan's office with regard to the fair policy. This is the first I heard of any changes much less an ordinance with the votes to pass. In reaching out to others in the tenant rights advocacy committee, this was not a surprised [indiscernible] ramifications besides the landlord said who demanded them. Dedicated to developing fair, we were one group that Eudaly's office met with. Passing the fair or there was a two and a half year process that involved hundreds of hours of meetings with a huge coalition of stakeholders of those who are or work with the most impacted. And iterated over many versions based on landlord feedback. The landlords complained at every term, prompting many changes to the policy but they never brought their own ideas to the table and never satisfied no matter how much the concerns were accommodated. At the conclusion of the process, the landlords on the rfc whose feedback had been key still testified they wanted to start from scratch claiming they hadn't been heard [beeping] not bringing a single solution to the table. Now, to landlords who own 81 units in the city, have managed to [indiscernible] a bad faith lawsuit without the community to designed the ordinance. The fair stakeholders were not notified we're scrambling to make sense to have the impact. [beeping] I will skip the rest of my testimony and say I

strongly urge, you to vote no and go back to the stakeholder community that helped develop this ordinance and work with them on changes to settle this lawsuit or pursue the lawsuit in court because the policy was designed with a number of lawyers at the table, landlord lawyers and city lawyers, no reason why this lawsuit should fail in court -- no reason the landlords should get their way in court. Thank you very much for your time.

Wheeler: Thank you.

Clerk: Vivian Lyon. Mayor, that completes testimony.

Wheeler: Very good. Thank you, colleagues before we move this along is there any other issue that you would like to raise or questions you would like to ask? Seeing none, this is a first reading of a nonemergency order, moves to second reading. Ordinance -- thank you, commissioner Ryan. We'll move to the regular agenda, first iteming 559 please.

Clerk: Authorize settlement in the matter of water avenue associates tort claim for the sum of \$65,000 involving the Portland water bureau.

Wheeler: That you see an emergency ordinance. This resolves a tort claim filed against the city in 2020. Chief deputy city attorney is here to present the ordinance. Welcome, Karen.

Karen Moynahan: Thank you mayor and commissioners. I'll be brief. This is a potential lawsuit that was brought by a landowner on the east side, adjacent to property the water bureau owns where the water bureau was going to place the [indiscernible] of the water pipe that will go under the Willamette river in 2020 the water bureau believed it had authority to stage very heavy equipment on the property of water avenue associates. As it turned out there is a discrepancy as to whether or not they had that authority. The property owner, water avenue associates gave a cease-and-desist order to the city. Roughly 40 days the equipment was removed. The [indiscernible] has [indiscernible] with the trespass as well as

condemnation. Trespass is covered, [indiscernible] condemnation is not. The parties agreed to-- \$65,000, 60% by the water bureau. There is no disputed there was damage to the property. No dispute the city used the property. However there is a little bit of disagreement on the intent of the use of the property, the extent of the damage and the cost. [indiscernible] recommending the settlement because there is substantial risk should this matter go to litigation.

Wheeler: Very good. Thank you, colleagues, any question on this item? Do we have public testimony?

Clerk: No one signed up.

Wheeler: Very good. Please call the roll. [roll call vote]

Ryan: Aye.

Hardesty: Aye.

Mapps: Aye.

Wheeler: Aye. The ordinance is adopted. Next item 560, emergency ordinance.

Clerk: Authorize a grant agreement with northwest health foundation fund to the fiscal agent for imagine black for the reimagining safety project for 2022 through 2023 not to exceed \$100,000.

Wheeler: Thank you, colleagues, I'll turn it over to Lisa Freeman to introduce this item. Welcome.

Lisa Feeman: Thank you, commissioners. Good morning. Thank you for having me here today to share about the reimagining safety project. Reimagining safety is an effort to step back and rethink would safety could look like for our community and Oregonians. It's guided by the questions, what does safety mean specifically to [indiscernible] who have been harmed by existing systems. What alternates exist to imprint models and what actions are necessary to build trust in a public safety system. The current [indiscernible] phases, first being participatory action, public outreach and education, policy development and legal policy review and drafting. Set

to be complete in the summer of 2023. This is aligned with the community safety commission goals and being able to apply the recommendations that come out of the project. This project has so far \$2.2 million so far. From both public and philanthropic donors, public donors include Oregon state metro, Multnomah county and Washington county governments. And this will be the city's first contribution to the effort. Thank you for your time. Happy to answer any questions about this grant.

Wheeler: Colleagues, questions? Commissioner Hardesty.

Hardesty: Thank you, mayor. Thank you, Lisa, for the explanation. I'm still a little unclear of what the reimagine safety project is. And where we will get information about what the outcomes we expect from this project.

Freeman: The project is beginning the first phase this summer, which will be the participatory action to be engage different communities from across the state. The state is providing policy recommendations and drafts of policies. They should be done by next summer, it's supposed to be a one-year project.

Hardesty: This is a statewide effort that's leading into policy for who, the state?

Freeman: It will be [indiscernible] all levels. So national, state, county and city.

Hardesty: Thank you.

Wheeler: Do we have public testimony?

Clerk: No.

Wheeler: It's not clear to me what the stated purpose of the project is. What is the tangible product that will result as a result of this \$100,000 investment?

Freeman: So \$100,000 will be part of the larger fund, they have a goal of raising \$2.5 million for this effort. The overall project is to engaging people on what safety means and what it would look like to reimagine our public safety systems, which is very consistent with a process -- [indiscernible] and why the community safety division was created. And so the outcomes of that would be that this organization is

providing and drafting policy recommendations and suggested legislation that we would be able to review and decide if we would like to apply those.

Wheeler: Let's see if I can summarize this. This is presumably a public outreach effort. It's designed to generate ideas and propose policies that would then be potentially considered by the city or will be considered by the city? What's the right word to fill in there?

Freeman: [indiscernible] by the city.

Wheeler: Okay. They will be considered by the city. They will not necessarily come to council, this is just to generate ideas, is that correct?

Freeman: Correct. Yes. If council would like a presentation on the results of the project, we can certainly arrange that upon its conclusion. But the intention is to engaging, it's a community engagement effort that would result in policy recommendations around the public safety system.

Wheeler: Okay. I'm trying to -- get a sense of what the tangible outcome is here. So they will be a public outreach process. The process I assume is led by the northwest health foundation or simply the fundraising agent?

Freeman: They are the fiscal agent. The process is led by imagine black.

Wheeler: Okay. And will this consider a wide range of policy solutions or is it a focused set of policy solutions that will come back to the city council?

Freeman: I guess I'm not exactly sure on how to answer that question. I think it will be a wide range within public safety. So thinking of alternatives to the current model that would result in [indiscernible] policy recommendations.

Wheeler: So this is a little esoteric, and that's why I'm -- I ask my staff a bunch of questions about this too. So there is a little bit of a leap of faith here. Because I guess we don't know what is going to be generated as a result of this project. It sounds like the core purpose here is to make sure that we are engaging community, that we hear potential ideas and potential solutions for how to reimagine or public safety system

in a manner that is inclusive and concrete suggestions will be generated I assume by the safety commission for consideration by council. Do I have the whole chain of events here?

Freeman: That is an excellent summary.

Wheeler: The money is part of a larger pool of funds raised by the northwest area health foundation and imagine black and ultimately this will be spend on a public outreach process and a serving process, is that a fair statement of how these dollars will be used?

Freeman: Yes, yes. Thank you for that.

Wheeler: All right. That helps me understand. Commissioner Hardesty.

Hardesty: Thank you, mayor. Mayor Ryan has his hand up as well. Lisa, I appreciate the responses to the mayor. I'm a little bit more confused now. And it's because you are telling me we're going to have a statewide committee that's going to be looking at what community safety means to that statewide stakeholder's group. You are going to be developing policies they may or may not be considered by the city council, the county commission, the state, and maybe even the federal delegation. What I'm on -- unclear of is how this group's work will fit into the work we currently do to reimagine how safety operates in the city of Portland. I guess I'm concerned we're launching a group while we're in the middle of transforming our community safety programs and we're launching a group to do something that may or not have an impact on what we're doing today. And I remember two years ago when the mayor and I were here, we put aside money specifically for imagine black to do some work specific to the African American community. It does not sound like this is those dollars. These are dollars for something different, having to do specifically with community safety statewide.

Freeman: Yes. So thank you for that question. I'll answer the first part first in terms of how this would be used. I see this as one more data point in our process of

reimagining safety and designing it with you as council. This is not the only project that will inform decisions that you all will make but it is one more project that is expressly engaging and reaching out to black Oregonians and trying to engaging them, that community on what safety would look like to that community. So that would be one piece we could incorporate into our overall picture. That's how I see it. In terms of history, I'm sorry, I don't know the background on that you are talking about from a couple of years ago. I'm not sure if that is this or something else.

Hardesty: Thank you okay. The mayor and I were the only two people left from that time. We'll figure thought one out. I would think if you are convening a statewide group, the issues would be different and more diverse than if you were convening a group focused on the Portland/metro area. Why do you think putting a statewide group together is going to help us improve our local community safety system?

Freeman: Yeah, I guess I should be clear the community safety division is not putting this together. This is a project already happening that was designed by imagine black. And this is a -- raising funds to do their project for multiple stakeholders around the state. So we believe that contributing to that fund will be city funds and also help us in the process of seeing what they develop that would be applicable at the city level.

Mapps: Hello, Lisa, a couple of questions. This is a \$2.5 million fund. Could you tell me the other donors, if you will?

Freeman: I know the public donors include the state, Oregon state bureau of administration, metro, Multnomah county and Washington county. I don't have the full list of the other philanthropic donors.

Ryan: I assume the state is a much larger dollar amount?

Freeman: I don't have the dollar amount but I assume so. This is a fairly a drop in the bucket of what the --

Ryan: It's 4%. It's nice to know how the funding comes together and included with in terms of that. So today I don't have those answers but that's okay, I think. Really

the bigger picture was of course where this is going. There is no one here from imagine black that could explain? Okay.

Wheeler: Do we have any public testimony on this item?

Clerk: No one signed up.

Wheeler: Very good. Colleagues, any further questions? Please control. [roll call vote]

Ryan: Aye.

Hardesty: Aye.

Mapps: Aye.

Wheeler: Aye. The ordinance is adopted. 561, please a second reading.

Clerk: Amend intergovernmental agreement with Multnomah county to fund a portion of the salary expense for the county domestic violence coordinator.

Wheeler: This is a second reading. We heard a presentation and public testimony. Is there further business? Seeing none, please call the roll. [roll call vote]

Ryan: Yeah, thank you, mayor, it was made clear last week that much Portland has an increased need for programming and resources that address domestic violence and abuse. This is commonsense ask, I vote aye.

Hardesty: Aye.

Mapps: Aye.

Wheeler: Aye. The ordinance is adopted. 562. Emergency ordinance.

Clerk: Accept \$25,185,809 in emergency rent assistance program funds from united states department of the treasury.

Wheeler: Commissioner Ryan.

Ryan: Thank you, mayor and colleagues, today we have before us an emergency ordinance to accept and continue managing the remainder of the emergency rental assistance grant funds accepted in 2021. The first amendment was received in January of 2021 for approximately 19,700,000 and followed by a second infusion of

funds in May of 2021. Some of the \$25 million. These are available until 2025. Although the city intends to provide 100% of the funding to their community by the end of calendar year 2020 -- 2022. To do we Portland housing bureau director Callahan here. Is director Callahan here? It's you, matthew. [multiple speakers] I'm glad you are here.

Matthew Tschabold: A quick comment for the record, matthew with the housing bureau. This is a technical ordinance. We have received quite a bit of rent assistance funding from the federal government since the start of the pandemic. We're in the process of closing the program with the remaining balance of funds. This is a technical ordinance to allow us to administer the federal funding and get paid.

Wheeler: Short and to the point. Any further questions? Any public testimony, Keelan?

Clerk: No one signed up.

Wheeler: Call the roll. [roll call vote]

Ryan: Aye.

Hardesty: Thank you for the very efficient explanation. I want to be clear, this is not new money, it's already been allocated for us. My excitement yesterday when I saw this was short lived. I vote aye.

Mapps: Aye.

Wheeler: Well, I have to concur can commissioner Hardesty. I thought the title was a little bit misleading. That said, the old \$25 million is just as good as the old 25 million we didn't. I thank you the housing bureau, commissioner Ryan and the united states department of the treasury for the generosity. I vote aye. 563. Also an emergency ordinance.

Clerk: Authorize 20 subrecipient contracts totaling \$5,732,279 for the provisions of services and support of providing affordable housing.

Wheeler: Commissioner Ryan.

Ryan: The portfolio housing bureau provides services for low- to moderate-income community members through the recipient contracts with non-profit organizations. These services include emergency home repair, fair housing advocacy, home ownership counseling and education, legal aid services, risk communication funds to permanent housing, supportive providers and renter education and advocacy. This year a total of 20 contracts will provide \$5,732,279 in funding to 20 organizations on behalf of the bureau. In conjunction with hud, required consultation process is series of public meetings were held to ensure input as to urgent needs with low incomes. Portland funding allocations reflect goals out aligned in the north-northeast housing strategy. Today we have Portland housing bureau and planning manager Matthew Tschabold here with us to present and answer any questions you may have. Take it away, matthew.

Matthew Tschabold: Thank you, commissioner. Again, mayor and members of council, for the record matthew with the Portland housing bureau. A few key comments because I know there were questions, this is our annual ordinance to get council approval to implement execute contracts for over \$100,000 for various housing bureau programs and services. These are long-term partnerships with community-based and culture specific organizations. I can say at the beginning of the partnerships the bureau goes through solicitation process to identify the best organizations. There are reviews with city and community stakeholders at each of the contracts has specific performance targets and fiscal and program monitoring. In in first fiscal year and every three years there after. We have add times adjusted or ended partnerships with the servicer outcomes aren't met to where they are no longer the direction of city council. And so approval of this ordinance will allow us to proceed with executing contracts and moving forward with these services.

Wheeler: Thank you. Is there any questions format? Any public testimony on this item.

Clerk: No one signed upped.

Wheeler: Please call the roll.

Ryan: Aye.

Hardesty: It is an impressive list of community-based organizations you continue to partner with. These get excellent outcomes, happy to vote aye.

Mapps: Aye.

Wheeler: Aye. The ordinance is adopted. We'll give to 565 an emergency ordinance.

Clerk: Authorize a contract with the lowest responsible bidder for the southwest 4thavenue improvement project.

Wheeler: Commissioner Hardesty.

Hardesty: Thank you, mayor. This is an exciting moment for the central city in motion plan as one of the largest projects is ready to go to bid for construction. Capital construction manager Gabe Graff is here to go through the details of this project. So I don't want to steal his thunder. This will be a transformative project through the heart of downtown connecting [indiscernible] and the [indiscernible] neighborhood with our government and shopping centers, all the way to old town Chinatown. Okay, enough. Gabe, take it away.

Gabe Graff: Thank you so much, mayor and members of council. My name is Gabe Graff, a project manager with transportation. I'm going to share my screen but I'll be snappy considering the agenda. Here to discuss the southwest 4thavenue project and request permission to bid. For those who haven't been downtown in a while, I wanted to share my recent photos of the pavements, this is from 1932. Here's a shot from -- [indiscernible] here's a shot from 2020 that actually shows the pavement condition. And why the process fixing our streets made the list, the local gas tax that funds maintenance and street safety. As [indiscernible] restoration, we have the central city in motion planning process underway. Through that extensive public engagement, southwest 4thavenue rows to the top through the heart of downtown. We combine

the central city in motion proposal with the payment project create a more efficient complete streets project. The core context in the plan that was adopted by city council in 2018 carried through into the final design. As commissioner Hardesty shared, the project extends from Sheridan up to west burn side. Project is nearly complete. Nearly 18 month of construction. Hope to have a contact on board this fall. A 16.9 million. The maintenance team, charges, TriMet and prosper Portland. And let's see. Yes. We have a video of the project but in the interest of time I'll show a couple of screen tops. [indiscernible] that showed the start of the bus lane. This is a Sheridan, TriMet lines 9, 12 -- [indiscernible] and also where the protected by -- shifting to the left side of the road begins. Here at southwest college, a traffic signal here. The project will be upgrading a.d.a. Ramps, streetlights and pedestrian safety improvements. Here at southwest [indiscernible] here at hall a new transit platform, a bus to pick up and drop out passengers without transitioning to the other side of the road, from the bus lane. And the end of the bus lane, the section of southwest 4th serves as a transit for those buses coming in from southeast and southwest. Here we are at city hall. This is a typical configuration of a project where the bike lane will continue on the left side. Parking is preserved on the left except where we have high demand for bridges. At southwest Madison there, the hawthorn bridge. We used modeling with 2019 traffic data and 2044 projection to make these configuration decisions. And here we have the burn side where the project terminates and the upgrading, adding crossing at southwest at the bottom of the screen and modifying the traffic signal at burn side to make new connections safe for people walking and biking and predictable for people driving or coming left or right. And that's my rapid-fire presentation. Happy to answer questions.

Wheeler: Colleagues, any questions? Do we have any public testimony on this item?

Clerk: No one sign said up.

Wheeler: Great presentation. Call the roll. [roll call vote]

Ryan: Aye.

Hardesty: Excellent presentation. I vote aye.

Mapps: Aye.

Wheeler: Aye. I have long wondered when this project would take place and I'm thrilled to see it. This is a high-volume corridor through 24 central city, it goes right past Portland state university, past one of our larger food court pods into the downtown. I'm pleased to see the work going forward. I vote aye. The ordinance is adopted. 568, a second reading.

Clerk: Assess benefited properties for street, sidewalk and stormwater improvements and the northeast 55th through 57th avenues and Killingsworth street local improvement district.

Wheeler: This is a second reading. We heard a presentation and testimony. Is there further discussion? Seeing none, call the roll. [roll call vote]

Ryan: Aye.

Hardesty: Thank you for your work on this. I vote aye.

Mapps: Aye.

Wheeler: Aye. The ordinance is adopted. We'll skip to 569 please. This is a first reading of a nonemergency ordinance. I'm sorry second reading. Thank you.

Clerk: Authorize a five-year deferral of single-family residential assessments in the northeast 55th through 57th avenue and Killingsworth street local improvement district.

Wheeler: Any further discussion? Seeing none, call the roll. [roll call vote]

Ryan: Aye.

Hardesty: Aye.

Mapps: Aye.

Wheeler: Aye. The ordinance is adopted. Back to consent agenda, item 552, the item that was pulled.

Clerk: A settlement of Erica Christiansen bodily injury lawsuit for the sum of \$30,000 involving the Portland police bureau.

Wheeler: Colleagues, this resolves a lawsuit filed against the city in October of 2020, Mallory is here to present the ordinance. Welcome, mallory.

Beebe: Thank you, mayor. As you mention, this is a settlement about bodily injury claimed involving a person named erica Christiansen, she was in north Portland at Kenton park and engaged with Portland police bureau officers as they were preparing to leave the area that evening. She allegations during an action with p.p.b. An officer pushed her to a ground and shot a less lethal ammunition multiple times. She won a lawsuit alleging battery, assault and negligence. Given the risk of potential adverse jury verdict, there was a settlement in march of this year. The parties have agreed upon a settlement of \$30,000 to resolve this lawsuit. The city attorney's office as well as risk management recommend that the city council approve this settlement. And I don't have any further remarks unless there are any questions.

Wheeler: Colleagues? Any questions on this item? And this would pulled by the public?

Clerk: Dan Handelman.

Wheeler: Very good. If dan is here, let's call on him.

Dan Handelman: Okay. Can everybody hear me?

Wheeler: Loud and clear, dan.

Dan Handelman: Thank you, mayor and members of council. Dan, a Portland cop watchers [indiscernible] protest, that's between the city and the [indiscernible] blah, blah, blah housing treatment, blah, blah, blah [indiscernible] urge the council discussed the policy [indiscernible] future currencies blah, blah, blah. You are probably tired of hearing from us about this, [indiscernible] how to conduct themselves in a way that will [indiscernible] community members without harm and trauma, unshakable fear and distrust of police. [indiscernible] multiple times with less

lethal rounds [indiscernible] extremely painful. Officer could be [indiscernible] restraining order [indiscernible] I'm not sure of the timeline but dispensing the [indiscernible] less than two months later. We keep getting told about the short sightedness of the police [indiscernible]. Officers. On that note, [indiscernible] p.p.b. Report which is presented to [indiscernible] it took me a while to find it, closer to three weeks ago. [indiscernible] for tonight's meeting was never sent out. The agenda was [indiscernible] community member [indiscernible] website over and over hoping the information [indiscernible]. Advisory boards [indiscernible] with the public. Finally want to recognize [indiscernible] of what we're seeing. Thank you.

Wheeler: Thank you. Is there any or public testimony on this item?

Clerk: No one signed up.

Wheeler: Knee further questions.

Wheeler: Please call the role. [roll call vote]

Ryan: Aye.

Hardesty: It is always tragic when a community member is injured by a public servant. I'm not quite happy but at least I appreciate the fact we're able to come to an agreement on the lawsuit. And I certainly hope that we're putting rules in place to make sure these kinds of injuries don't happen again in the future. I vote aye.

Clerk: Mapps.

Mapps: Aye.

Wheeler: There is a lack of clarity as to what actually happened here. And I think it is best for the city to settle this in the absence of that clarity. For me it not only raises the question of what happened, it raises the need for body-worn cameras. I look forward to us continuing to deploy those. In the meanwhile, I'm glad the parties reached an amicable agreement. I think it's better for the city than taking it to court. And I'm glad that resolves this. I vote aye, the ordinance is adopted. Second reading

item 568 please. I'm sorry, we're at 564, which is a nonemergency ordinance. And this will be the last one that we'll be able to do this morning.

Clerk: Amend approved application under the multiple-unit limited tax exemption program under the inclusionary housing program for Pepsi blocks phase 1a, building a located at 827 northeast 27thavenue to decrease the number of restricted units.

Wheeler: Commissioner Ryan.

Ryan: Thank you, mayor. Any building having 20 or more new units is required to contribute to the rent restricted housing inventory through the inclusionary housing program. Developers in Portland must goes choose from several options in order to fulfill inclusionary requirements, providing inclusionary housing units market rate building or paying into the inclusionary housing fund. The multi-unit tax exemption or multiprogram is one of the financial incentives provided to building restricting units under the program rather than paying a fee in lieu. Each comes before city council for approval. This is the first multiapplication for this ownership group. And colleagues we have Portland housing bureau development incentives manager as well as matthew back with us to provide more specifics and answer any questions. Doreen and matthew, take it away. And thank you for your brevity.

Matthew Tschabold: Thank you, commissioner, for the record, matthew with the Portland housing bureau. The ordinance you have in front of you today is an amended ordinance for the development in the Pepsi blocks in terms of what the changes are. The overall development is five buildings, it's considered a single site, which is important when it comes to determining what the inclusionary housing obligation is for the developer. Initially the development team was pursuing a program option that allowed them to put all ih units into a single building on a site and actually potentially provide more affordable units than required by the ih program. Part of the strategy for that approach was that the development team was going to seek additional outside funding not related to the city for the affordable

housing units. Our understanding is that outside funding was not secured by the development team and they decided to change their approach and they will be providing at least at this point idh units in each of the five units. So this amended ordinance is to the first building and they intend to provide the ih units required in that first building and no more. Just the basic obligation as the overall project moves forward e, the subsequent buildings will have their ih, that is why you see substantial reduction in the overall number of units. They are still meeting the ih obligation, this is a reconfiguration, which is why it's not on the regular agenda. Happy to take any questions.

Wheeler: Commissioner Hardesty.

Hardesty: Matt, am I reading this wrong? It looks like there is going to be over 3000 -- 3500 units in the one building. Am I reading this wrong.

Tschabold: In this one building?

Hardesty: The slide, 219 unit building. Is it really going to be 604 rooms?

Tschabold: There is a 219 unit building. I do not know the number of units planning -- planned for the other four units.

Hardesty: My bad, I'm looking at square footage and I thought those were the number of rooms, got it. It makes sense to me now. Thank you.

Wheeler: Very good.

Hardesty: That's --

Wheeler: Is there any public testimony.

Clerk: No one signed up.

Wheeler: Very good. This is a first reading of a nonemergency ordinance. It moves to second reading. I have a question for legal counsel. So we do not have time to go through 566 and 567 read together this afternoon. We have Jennifer Vitello who waited patiently to testify. Is it possible to read the items, allow her to provide

testimony so she doesn't have to come back this afternoon and continue those items until this afternoon?

Jennifer Vitello: Absolutely.

Wheeler: Why don't we do that. Keelan, read 566 and 567 together.

Clerk: Assess benefited properties for street, sidewalk and stormwater improvements in the north Burlington avenue and Edison street local improvement district. And 567, authorize a five-year deferral of single-family residential assessments in the north Burlington avenue and Edison street local improvement district.

Wheeler: Very good. Could we please take public testimony on these items now?

Clerk: Jennifer Vitello.

Wheeler: Hello.

Vitello: Thank you so much. Good afternoon mayor and members of council. Thank you for the opportunity to speak this morning. I am here to testify on behalf of agenda item 566, the north Edison north lid. I'm a resident of [indiscernible] neighborhood in north Portland. I know you are accustomed to hearing folks testify and complain about things. I'm here to be the bright spot and let you know I'm here to testify how wonderful the project is for our neighborhood and community. And I want to thank everyone so much. I particularly want to thank p.b.o.t. For everything you've done. And give you a bit of background about the cathedral park neighborhood. [indiscernible] unpaved, compared to an average of 2.8%. That makes it the sixth worse out of 94 in proportion of unpaved streets. Our sidewalk coverage is 66.9% and we're in a pedestrian district. There are no crosswalks and no bike lanes in the neighborhood. I won't go into a great detail of discussion about this. In the intersection of [indiscernible] boulevard and north [indiscernible] avenue is extremely dangerous because the improvements remained. I took photographs of numerous car accidents, like three-car pile ups, three cars and a motorcycle, all kind of things

that happen in the intersection. Sharing those with p.b.o.t. As trying to develop a plan for the intersection. I'm happy to say the intersection is much safer now. It was broad and wide and people were going fast and that problem has been dealt with. I'm so appreciative. I'm also, this intersection was the most complicated and expensive project in the way of a number of infrastructure goals. [indiscernible] boulevard between Richmond and [indiscernible] is a city bike way and in order to complete this, this intersection was going to be a major impediment. [indiscernible] which is located within saint john's pedestrian district in this part of the saint john's town center is a key pedestrian and [indiscernible] bicycle connection for the cathedral park neighborhood and north Portland. It providing a critical condition for cyclists to connect on the 40-mile loop trail. North Portland is the last section of the city to get multimodal transportation study and community advisory group. We're in the process of north pdx connected. This is at the heart of those efforts as well due to location and the complicated nature of the intersection. The fact this intersection is now completed means all of these planning efforts can move forward [indiscernible] hanging on this one big complicated piece. So very exciting. In addition to that, p.b.o.t. Was able to legible scale by adding this intersection with the rest of the l.i.d. By having the same contractor, same teams, all of the efficiencies involved were a large part of the reason this was able to happen economically. The development potential along the waterfront has been stymied because of lack of infrastructure. Moving [indiscernible] this intersection is a key connection the last large undeveloped waterfront sites in the city of Portland. The entire industrial waterfront with the neighborhood is now ripe for development. Yet no infrastructure in place along the waterfront or most of the neighborhood. The cathedral park neighborhood and its association have consistently supported development in the waterfront. The community would like to see the infrastructure built to support the development. And of course, the complicated [indiscernible] water front mean [indiscernible] until the

infrastructure is in place. How many acres of undeveloped or under developed waterfront? 29 acres. Put that in perspective, that makes this area about 33% bigger than the developable u.s. Post office downtown. Investment in this area is critical in order to give us all of that much-needed development space for housing and mixed use. Storm water --

Wheeler: Jennifer, you sort of lucked out. The timer didn't start. But you are way over three minutes. And I'm sorry. I have a family medical issue that requires me to leave. You made your points eloquently. We really appreciate you and thanking the p.b.o.t. Staff and Andrew is here and has heard that and praise is far and few between here at city hall. We appreciate you being here and sharing this information with us. And of course, we can take the entirety of your written testimony and happy to do that. So thank you for being here this morning. We appreciate it.

Vitello: Thank you so much.

Wheeler: Does that complete public testimony on this issue?

Clerk: Yes, we'll check in the afternoon.

Wheeler: Commissioner Mapps, question?

Mapps: No.

Wheeler: How much time do you think you will need for these two items, 566 and 567, Andrew?

Aebi: Mayor Wheeler, I had a quick slide show that will build on them. It would be five minutes.

Wheeler: Unless anybody has an objection, can I move these two items, continue these 566 and 567 to the beginning of our agenda this afternoon so I can let Andrew go about his day without having to be tied up? Very good. So colleagues, items 566 and 567 were continued to this afternoon's agenda, taken up at the top of the hour, 2: 00 p.m. That completes the other agenda items, does it not, Keelan?

Clerk: It does.

Wheeler: That completes our business for this morning. We are adjourned.

At 12:39 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.

June 22, 2022

2:00 p.m.

Wheeler: Good afternoon, colleagues. This is the June 22nd, 2022, Portland city council afternoon session. Please, call the roll.

Clerk: Good afternoon. Ryan

Ryan: Here

Clerk: Hardesty

Hardesty: Here

Clerk: Mapps

Mapps: Here

Clerk: Rubio

Rubio: Here

Clerk: Wheeler

Wheeler: Here. Thank you, Keelan. We'll now hear from the [indiscernible]

Anne Milligan: Welcome to the Portland city council. City council is holding hybrid public meetings.

Mapps: Also, commissioner Ryan, your camera's off.

Milligan: Testing. City council -- do you want me just to continue. All right. I think there's going to be a little bit of an echo. City council is holding hybrid public meetings - [indiscernible] -- to electronic attendance. If you wish to testify in presence --

Wheeler: Do we still have a mic open? You're not discernible on the zoom call.

Mapps: Yeah. They're working on it.

Milligan: Okay. One more time. All right. Welcome to Portland city council. City council is holding hybrid public meetings with limited in-person attendance in addition to electronic attendance. If you wish to testify before council in person or virtually, you must sign up in advance by visiting the council agenda on the council clerk's web page at www.Portland.gov/council/agenda. You may sign up for communications to briefly speak about any subject. You may also sign up for public testimony on resolutions, reports, or the first readings of ordinances. In-person testimony may occur from one of the several locations including city council chambers and the love joy room at city hall and the Portland building. Written testimony may be submitted to cctestimony@PortlandOregon.gov. Your testimony should address the matter being considered at the time. When testifying, please state your name for the record. Your address is not necessary. Please disclose if you are a lobbyist. If you are representing an organization, please identify it. The presiding officer preserves order and decorum during city council meetings so everyone can feel welcome, comfortable, respected and safe. The presiding officer determines the length of the testimony. Individuals generally have three minutes to testify unless otherwise stated. A timer will indicate when your time is done. Disruptive conduct such as shouting, refusing to conclude your testimony when your time is up or disrupting 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 rejected for the remainder of the meeting. After being ejected, a person who fails to leave the meeting is subject to arrest for trespass. Additionally, council may take a short recess and reconvene virtually. Thank you.

Wheeler: Thank you for that. And folks, those of you waiting to hear temporary extension of the commission cap on third party food delivery platforms, we'll get to that very quickly. We have a little bit of unfinished business this morning and we'll take care of that first. We'd like to get to the continued items 566 and 567. Keelan, just to catch us up can you read those back into the record.

Clerk: Yes. Mayor. Assess benefit for street, sidewalk, and storm water improvements on the north Burlington avenue in the Edison district. And 5-year deferral of single family residence assessments in the north Burlington avenue and Edison street local improvement district.

Wheeler: Thank you. Commissioner Hardesty.

Hardesty: Thank you, mayor. Here we go. This project came about after p-bot received complaints about storm water runoff and other properties on the downhill side of north Edison street prior to the lid formation. The lid project has been scoped to fit with the existing right of way to avoid existing outreach was made that was consulted during the scoping of the proposed lid and north john avenue and north Willamette boulevard. At risk to utility cuts and other degradation of the pavement and eliminates on north will lam met boulevard by making it safer. Will build affordable housing in conjunction with this lid which will be known as our home cathedral park. Combining lid and p-dot allows for a more comprehensive resolution and avoid unimproved gaps and street improvements. To quickly go through some of the details of the project. Jennifer spoke earlier from the cathedral park neighborhood association who were both instrumental in making this project come to life

Andrew Aebi: Thank you, commissioner Hardesty. Mayor Wheeler, thank you very much for fitting me into your afternoon agenda. I'll be quite brief. Before I start the presentation, I just wanted to note that Jennifer Vitello whom you heard from at the end of the session this morning was the former chair of the cathedral park neighborhood association and she is an employment attorney here in Portland and she was amazingly

collaborative with p-bot during this process and we really appreciate her assistance and collaboration. So, as I start this presentation, thank you for pulling it up. And if you look at this cover slide, I also wanted to give a shout-out to Vega civil engineering. Vega civil engineering is part of our contract, they're a woman-owned business. And I started to talk that that firm got formed and we brought them on board to do this project and had they not worked this out, we would not be having this discussion here today. So I'm proud of our contract with Vega civil. We can move on to the next slide. So this is a map of the overview, the improvements that we built. So the I.i.d. Boundary shown in that black outline. You heard Jennifer this morning talking about the north Burlington and inner Willamette intersection. She said you should really start thinking about doing this and that's where we've come up collaborating funding to do that intersection. Not only did the I.i.d. Participant save 14% on each and every [indiscernible] but we were also able to deliver that far less expensively than a stand alone project. Finally, at the bottom of the map, you see those traced in orange at the south end of the picture, that's a future development coming in and so what we've done here is we've built a street network that will grow and provide connectivity in the area. Next slide, please. So this is some of the feedback that we heard from property owners when we were forming a local improvement district. So we had a landlord who talked about in June two hundred one thousand two hundred ten years ago this month, we talked about the rain water and the storm water from the street overwhelming the storm drain. So we really wanted to manage that public storm water runoff so it doesn't cause property damage to downhill properties. Next slide. . So not only we're dealing with storm water management issue, but we also have a community here with mobility impaired resident who is are not ambulatory. These people were basically trapped in their apartment. They couldn't go to the grocery store because there was no sidewalks. They weren't able to physically get from their home to the grocery store. We've completed cleaning out the sidewalks in this neighborhood so they no longer have to rely on somebody driving

them to the grocery store or the nearby post office. So this is an example of how bad the pavement was on north Edison street before we started the I.R.D.. Not much better than an unpaved street. Next slide, please. And, then this is what it looked like on the day that we repaved the street. So we fully reconstructed the street and added curbs. What you don't see there are the new street trees. We're going to plant those in November. We wanted to wait until November to plant the street trees when they have the best chance of survival. Next slide, please. This is north John Avenue just south of Edison street. This is where all the storm water runoff was going. The water would come down Edison street, turn the corner and scour out north John Avenue. So the reason we improve north John Avenue as part of this project with mostly F.T.C. funding was so that we had a good place for the storm water to go. So next slide, please. So this is that same stretch of north John Avenue. That is a 12% slope going down to the Willamette river. You will notice in that picture, we shifted the street a little bit over to the right. So we have a really good relationship with P-10 and urban forestry and we shifted those so we wouldn't have to remove those beautiful trees on the north side of east John Avenue. And now I'm going to wrap up by touching on the Burton Willamette intersection. We were just forming the I.I.D. And she said you should really look at trying to fix this intersection. So if you look at that slide on the left, you can see the car has crashed into the sidewalk. The owner is walking across the street to share information. The two other cars in a were involved and there was also a motorcycle underneath that rear -- the front-wheel of that pickup. So certainly not a pretty scene there. If you look at the bottom right of that sidewalk, you can see the side of Willamette boulevard that connects to St. John and the University of Portland on the other. There's just an abrupt sidewalk gap where there's no curb ramp for people with mobility devices to use. The storm water would just turn the corner. This intersection had to be sandbagged during heavy rainfall before we came in and did the improvements. Next slide, please. And this shows how bad the pavement was on north Willamette boulevard. You see all the

modelling and the cracking there. What we did in addition to refreshing the pavement is we made it much safer for pedestrians. So what we did is if you look at that slide there on the right, you can see the old curb lines are in red and you can see the green curb lines where we tightened up the intersection. So the crossing distance for pedestrians was significantly reduced. From north 64' down to 28'. So what that means is their crossing distance was less than half of what it was with the improvements. So a less time a pedestrian spends in the intersection, the less likely they are to have a conflict with a vehicle. And we not only made this intersection safer for pedestrians, but we also made it safer for bikes and people driving vehicles. It used to be when you came up to the stop control intersection, you're effectively crossing a parking lot and now it feel its more like a narrow tightened up intersection much easier to cross. And this is my last slide. You can see what the after pictures look like. You can see the storm water facilities haven't been planted. So I just want to close by saying the I.i.d. That we're closing out today as well as the future north Portland and motion project. And, I'm sorry, there is one more slide which I'll get to in a minute. But the I.i.d. We're closing out today as well as the future north Portland in motion project is the community project that directly addresses community concerns. The north Burlington Willamette intersection. We were able to build the intersection much less expensively than the stand alone project and the scale contributes to a 14% savings on the I.i.d., both the I.i.d. Improvements and rebuild intersection improves safety and supportive future if you can move to the next slide, I'll close on that slide. The intersection improvement transformed a sea of asphalt into a new public space with trees this November and this project gets rid of the biggest project to a fuj boulevard project that we expect will be launched through north Portland in motion. We did object to one final assessment. The final assessment ordinance includes an objective to overrule that objection. But if council approves that deferral, we'll notify the property owners of the availability of that deferral. All properties

will be eligible for 5, 10, and 20 year financing. That concludes my presentation. And I'm happy to answer any questions that council might have. Thank you.

Wheeler: Very good. Thank you, Andrew. Before we check for any additional public testimony, does anybody have any questions of Andrew? If not, let's let him walk his dog. It sounds like he needs it. Thank you, Andrew, for the presentation. And, of course, colleagues, this morning, we heard from Jennifer Vitello. Do we have anyone else signed up on this issue?

Clerk: No one else signed up.

Wheeler: Thank you. Any questions? Thank you, Andrew, for an excellent presentation. Item number 566 is a first reading of a non-emergency ordinance. It moves to second reading. Number 567 is also a first reading of the nonemergency ordinance. Now, we'll go to the agenda item for this afternoon. Thank you for waiting for your patience. Item 570.

Clerk: Temporary extension of commission cap on third party food platforms, delivery and take-out service fees charged to restaurants.

Wheeler: Colleagues, this is an emergency ordinance to temporarily extend by eight months the current caps on the take-out and delivery fees charged to Portland restaurants by third party platforms. As I'm sure you're aware, the current caps in place adopted in July of 2020 are set to expire on June 29th. These caps currently limit the fees that third party food platforms can charge to 5% of an order's purchase price for pickup or 10% for delivery respectively. If this emergency ordinance is adopted, these same caps would be extended until February 28th, 2023, an 8-month extension is needed I believe to continue to protect Portland restaurants from excessive fees while allowing all affected stakeholders the opportunity to continue to develop a balanced and sustainable long term policy. Such a policy should support our local restaurants or while mitigating any consequences like reduced access to services or additional consumer fees. As many of you know, the regulation of third party food platforms is

very complex and it's a controversial policy area. Several large municipalities in the united states are currently involved in active litigation on this issue. Portland has the opportunity to be a leader and advancing sound policy with the additional time and space that this temporary extension will create. As we all know the local food and restaurant industry is an absolutely essential part to Portland's culture and restaurants. Particularly severely during the pandemic. Public safety protocols and social distancing, many restaurants came on the three major third party food platforms. Door dash, grub hub and uber eats to reach their customers as well as to facilitate take-out or delivery of orders. Our city's restaurants and our food courts need the continued support in recovery as well as a frame work of standards to ensure that fair and equitable treatment exists in how they contract with food platforms over the longer term. My office is committed to continuing to work collaboratively with the other commissioners, with Portland restaurants, with third party food platforms and all affected stakeholders in the coming months to make sure we get this balance right. During this extension, the bureau of revenue and financial services will be responsible for administering and enforcing these proposed caps. We have director Thomas Lannom and Tyler Wallace about how this source will be implemented. I'll turn it over to director Lannom.

Thomas Lannom: Thank you very much. I'm the director of the city of Portland's revenue division and I will be very brief. I think that you covered all of the points about this ordinance very well. So I would only add a couple of points and that's consistent with how it has been handled and so the m cost is zero. Glad to hear there are not that many complaints. At least that's been our past experience and then the complaints would be limited to restaurants and to drivers. So this would not be complaints -- we would not be empowered to investigate complaints from individual consumers, but rather just restaurants and drivers. I will stop there. We have a few people from revenue have detailed and content knowledge if you have any questions. I'm certainly happy to answer them.

Wheeler: Very good. Of colleagues, any questions at this particular juncture? Are there any public testimony? Public testimony or invited testimony?

Lannom: Of that I'm not clear.

Wheeler: Why don't we do this since I'm not seeing hands, why don't we go to public testimony. Keelan call the first individual, please.

Clerk: Thank you, mayor. First up we have Anna Powell.

Wheeler: Good afternoon, anna.

Anna Powell: Hi, mayor Wheeler and commissioners. My name is Anna Powell and I'm the government relations manager for door dash. While we appreciate that the city is taking more time before passing a permit price control, we are concerned that a temporary extension of the current price control will still have negative consequences. Portland has one of the most restrictive price controls in the country and door dash's cost to provide its services in Portland exceed what it has been able to recoup in commissions under the fee cap. As a result, third party platforms could be forced to cut services or raise consumer fees in an attempt to stay in Portland. The price of delivery goes up like it has the past two years under the temporary price control. Demand for delivery goes down. This means fewer orders for restaurants, fewer earnings for dashers who stand to lose an estimated \$4.2 million in earnings each year due to the cap, and decrease tax revenue for the city. While door dash recognizes that individuals are still contracting covid-19, restaurants are open for in-person dining and they have new and varied options that were not available two years ago like a tiered pricing plan from door dash that allows merchants to choose the level of service they want including an 8% to 15% option. Businesses are more likely to stay in business thru the pandemic. We also know that platform like ours provide restaurants approximately 80% more orders than they would receive out our partnership. We look forward to working to find a solution that works for everyone. One that allows restaurants to grow. Consumers to have access

to a broad array of delivery options. To agree to contracts that make sense to them.
Thank you.

Clerk: Next up, we have Anna Caporaël.

Anna Caporaël: Hello. My name is Anna Caporaël. I'm here with Sarah Schafer my business partner. We opened in 2020, August of 2020, so we have only operated amidst a pandemic and if not for the cap, we would have not accessed any third party delivery. At this time, using third party delivery will only continue if the cap remains in place. As we see all associated costs rise, this is labor and, of course, all of our food cost and packaging costs rise again and again and there's no longer economic relief available, the city must do all possible to preserve local businesses. Promoting local businesses and creating caps so that we can survive and thrive once again. At this point, when restaurants are facing sometimes a 500% increase on paper goods needed for their business, restaurants are continually put in a position to absorb increase of cost and are unable to increase that item on their menu. I understand that everyone is here to make money, but the delivery services do have additional ways to make money and putting that burden on food service operators once again is just going to create more closures and a narrowing of business scope. The city really needs to do everything possible to raise up food service right now in Portland proper where people are struggling every day and just this week, we are hearing of five peers who are evaluating closures of their business. I just want to express with my time how dire the situation is for the public talking to peers and seeing where they're at. Right now, there is an emotionality to this, but there's also just economics. Restaurants cannot continue to absorb the cost and we must maintain that 10% cap going forward. Thank you.

Clerk: Next up, we have Han Ly Hwang. I'm sorry. Next, we have Amy Rathfelder.

Wheeler: Excuse me, keeling, the mic's not live.

Amy Rathfelder: Sorry. Sorry, mayor, can you hear me? Great. Apologies. Good afternoon mayor Wheeler, members of the council. I serve as the director of government

affairs for the Portland business alliance. The alliance's greater Portland chamber of commerce and represents the largest most diverse network of employers in the region. It also advocates for all levels of government to create opportunity for all who live and work in our region and support the healthy business eco system. We represent more than 2,400 workers. And virtually every sector. More than 80% of our members are small businesses. First, we'd like to appreciate the mayor and his staff especially Andrew Fitzpatrick. Thank you, mayor Wheeler for leading an extraordinarily collaborative process for stakeholders. This policy impacts restaurants and restaurant owners, third party delivery services and throughout the city of Portland. We know that bringing together these large and invested communities was no small task. Thank you to the mayor's office for taking this on in an intentional and comprehensive way. The delivery companies, the restaurants, and small businesses and the customers. For this system to be sustainable, the restaurant economy must work for all three. Our concern with the current emergency cap which was rushed through with virtually no input in July of 2020 is that it has made it measurably more expensive for customers in Portland to order from restaurants than other areas outside the city, most notably Clackamas and Washington counties. While this may have worked during the pandemic emergency since customers had no other option, we believe in the long-term it will just be another contributor to the rapidly rising cost of living in the city of Portland and it could ultimately harm Portland restaurants with depressed demand. We're disappointed that the collaborative measure didn't result in an agreement that worked for all sides. We felt there was an agreement to be reached and by entertaining this extension of the emergency measure after the emergency is behind us. It enabled late to the table voices who were not interested in reaching an agreement. We urge the mayor's office and the council to be clear that this will be the only extension so that all organizations and stakeholders will stay at the table to enact a food delivery policy that's sustainable for all three legs of the stool in this economic eco system. The alliance is as always ready and

willing to act as a collaborative partner to the city of Portland as we pursue smart and common sense policy solutions. Thank you.

Hardesty: Mayor, if I may.

Wheeler: Commissioner Hardesty, go ahead.

Hardesty: Thank you, mayor. I heard you say the Portland business alliance represents 13 different states. Would you clarify that for me, please.

Rathfelder: Yeah. Honestly, commissioner Hardesty, I'm not an expert in our members and where they come specifically but I can connect with you our membership director.

Hardesty: I think they represent Oregon businesses, not other states.

Rathfelder: We're regional, so we have businesses outside of the state that have part of our membership, but I'm happy to connect you --

Hardesty: Don't bother. It's okay. I'll look it up. That just seemed a bit outrageous when you said 13 states.

Clerk: Okay. Let's try Han Ly Hwang again. Are you able to unmute?

Han Ly Hwang: Hi.

Wheeler: Yes. We can hear you and see you.

Han Ly Hwang: I'll be in business for eight years now. I'm just going to go ahead and say that I feel like the city itself is pretty eager to have its deliver apps work and how predatory tactics can get when it comes to getting their money. I just want to remind everybody that Portland restaurants are where the biggest parts if not the key factor of tourism right now in Portland, Oregon. No one's coming here to see the elk. People are coming from restaurants. There's so many more restaurants now that bring more people in than there ever have been before and to dumb it down by forcing us to do delivery is one thing and there are things [indiscernible] of the word partnership when it comes to having to use these apps to keep our businesses alive. It didn't used to have to be like this. Now, for us to pay 30% just to have the convenience of our customers pick up or have their food delivered is egregious. One. Two, when you put in a 10% cap, you have

to understand it wasn't like a life-saver for us. We still have to work with people and they found other ways to charge us. Delivery apps or extra delivery methods or having two drivers deliver your food. I guess the bottom line of what I'm trying to say is there's other ways for them to make money, but there's only one way for us to make our buck. And in the city of Portland, all restaurants and food carts we're just chewing the same \$20 bill. And that's really the truth of our industry. Right now, it's been breaking even. Like I am, you're winning. And every Tuesday and Friday I get a check from one of the delivery platforms which we only get paid once a week and that makes us feel like an employee when they use our customer database to build their platform off of. I don't think you guys understand it is not really well-known is they're using a social media tactic to monetize food. Now, I want you guys to think about that when I say this. They use our customers to build their business only to charge us back so we can have access to those customers again. And that is ridiculous. I want to thank all you guys for your time. Thank you for letting me speak. I really appreciate it.

Wheeler: Could I ask you a question? You might be the guy who can answer this for me. So I use these platforms and I always wonder what the consequences are for the restaurateur. Is it your preference as a restaurant -- I realize you don't speak for everybody. Is it your preference that we do this or that we come in person? What are the people who run these restaurants who do the work? What are they saying about these platforms just from a perspective of continuing business?

Hwang: Okay. So your places that build more of their environment in the food. Let's just say the pigeon or like Kinard. They want you to come in and enjoy the experience, tip well, have a few drinks and eat the food, build a culture. All the way down to say someone that's us as a food cart, we want you to get the delivery for the first time as we slip in our phone number so you can call the order come out and pick up the order in person. It's going to be \$10 cheaper and I'm going to tell you right now, we want it to go back to the way it used to be. We don't want to have to split our customers. They're

pulling auto of Lardo's customers, all my customers into one app and once it's in that app, they're only funneling out an x-amount of customers to us of exposure. And what they're doing is they're just dulling out little tiny bits of our customers back to us. I would love if you came down to the cart. I would love if you took a selfie next to the painting and order some food. I would understand and you had to get us delivered, completely understandable. There is a necessary for delivery and I was excited to sign up for the delivery platform when it came out, but the way they charge us is just insane.

Wheeler: That's actually great perspective and I appreciated what you said. And if I can just paraphrase and make sure I got it right because one tool we have available to us is the bully pulpit. And I wondered to what degree we should be encouraging Portlanders to go back to the restaurants, to the food carts in person and participate. It sounds like you're an advocate for that position. Is that fair?

Hwang: As much as I hate dealing with customers, yeah. Absolutely. I would love it. The bottom line is -- the bottom line for us is that no matter what these delivery companies will make their money. The one thing that they cannot do is what we've already done. We have Portland taste makers, we've been a leader in the culinary industry for the world. You think other food truck cities are out there? Without us? No. We started that. And we would love a chance to reset this whole delivery platform the way that deliveries are handled in a city. We're a little big city. We have the opportunity to do that and I don't understand why we're going to let them threaten us saying, "oh, well we might pull out of Portland." you're not going to pull out of convenience.

Wheeler: Thank you. Thank you for that. I really appreciate that. Thank you for your long standing leadership here in Portland. We sure appreciate it.

Hwang: I appreciate that. Thank you. Thank you for your time.

Clerk: Next up, we have Kurt Huffman.

Kurt Huffman: Mayor Wheeler, council members, can you hear me?

Wheeler: Yeah. Loud and clearly.

Huffman: First of all, thank you for taking the time to listen to me about this issue. My company, we've opened about 60 restaurants in Portland and we currently partner and operate 32 of them within Portland. All are independent all owned by chef partners. I think that the experiment went on when you addressed the cap on the delivery fees was that we were interested in seeing how the delivery platforms would manage and pivot in terms of upping their costs and effectively what they've done is they pushed it on to the consumer. And I think that's the principle thread or risk that delivery apps are dangling in front of councils today it's going to raise the cost of living and so forth. But the bottom line, those fees otherwise are being paid by us and independent restaurants as opposed to national chains that make up the vast majority of their client base. We average 7% to 8% profitability and when we're talking about a 15% fee or 29% fee is truly unsustainable for independent restaurants we have here. If the consumer ends up paying more, then we are 100% for it because in a sense, Portlanders say they want to support restaurants and this effectively passes the bill on to them in a way that allows them to live their values. Another thing I want to point out with my last minute here is that -- all of these -- based on size of the entity. In lake Oswego, we were able to keep the cap. Unfair to small independents and is uniquely unfair to them because the larger groups can negotiate their rates. So we, our restaurant group is 100% in favor of maintaining the cap. Thank you for your time.

Wheeler: Thank you. Appreciate your being on. Thanks.

Clerk: Next up, we have Daniel Gold.

Daniel Gold: Hi, city council. Thank you for considering our testimony. My name is Daniel Gold and my wife and I opened a restaurant during the height of the pandemic in June of 2020. We do not use third party apps despite their prevalence because we have grave concerns about their overall effect on our industry. . We personally did not want to become entangled on their revenue streams like so many small restaurants have due to shifting consumer behavior as a result of the pandemic. You know, my two cents is

that please consider just like Walmart destroyed countless main streets in America and amazon reshaped the entire retail sector, these third party apps are in the process of rapidly and radically changing the playing field for small family restaurants and leaving a permanent mark on the future of Portland's culinary scene and food economy. It's sad that innovation and culinary creativity now comes in the form of corporate, out of state owned joe's kitchens that employ very few Portlanders and fulfill 100% of these apps. The apps are in fact tracking which dishes sell the most with eventual plans to develop their own versions of all of our independent restaurants and cut us out of the equation completely. Please keep in mind that that business model is antithetical to what makes Portland unique, our neighborhoods vibrant and our city an attractive place to eat, live, and to visit. Please also keep in mind if you're considering letting the commission rates rise or if this were to happen, there's going to be an equal and opposite directly to the balance sheets of three major companies with over \$100 billion. Small immigrant restaurant owners will not be able to save for their children's' educations or be able to afford air fare to visit families overseas while venture capitalists from states, maybe twelve of them elsewhere are beyond the state of Oregon reap the rewards. It's a 100% certainty if the commission cap is lifted and while stock prices may also rise, the affordability and quality of our city's food scene will hit new lows. Rising prices on food, energy taken by the city to compound these challenges would be misguided and tone death. I think it's a no-brainer to pass this extension. I hope eight months if not permanent is where you guys land and thank you for hearing my testimony.

Wheeler: Thanks. Daniel. Appreciate it.

Clerk: Next up we have JR Starrett.

Wheeler: How many folks do we have signed up?

Clerk: We have two more.

JR Starrett: Hello. Thank you, mayor Wheeler and members of the council for the opportunity to provide comment today. I'm a member of grub hub. Restaurants choose

third party platforms for a variety of services going well beyond delivery. Grubhub was founded in 2004 to help restaurants grow. We've worked hard to generate business for restaurants at a low cost to them helping make eating a much that had significantly higher marketing budgets. Grub hub's business and value we bring to restaurants is the value and support we provide to increase orders and that's how our fees are structured. Restaurant partners options, they can find what works best for them and their particular business. Price controls on commission have a temporary cap that's been in place since June 2020 limit the ability of local restaurants that choose to promote their businesses on third party platforms. To raise visibility, find diners and engage revenue customers. The cap in place limits every restaurant's ability to opt in these services because it does not allow restaurants to invest and marketing to do so. Some restaurants want the option to be able to receive orders online. Others use these platforms for marketing and delivery services because they're unable to find enough workers or unable to find employees dedicated to delivery. Collected on an app funds delivery services. On top of this, couriers also obtain 100% of the tips. Because the temporary cap in place is 10% in total, in that 10% funds the delivery by courier, a consequence is that restaurants are given no opportunity to invest in additional marketing services on our platform should they wish to do so. Even dining having returned in 2021, many restaurants continued to struggle, specifically small independent restaurants that did not have access to large advertising budgets, many of the national chains operate with. Of the ability of restaurants to promote their businesses, find new diners and engage customers allows these businesses to send out the door at a time when it's needed most. I also want to thank the city staff for convening stakeholders in this process. It's been constructive and informative. I hope we can continue to meet regularly to discuss this permanent option that would allow, that would soon allow restaurants who choose to do so to harness the food power and opportunity of our platform. Thank you for the time today.

Wheeler: Commissioner Hardesty, you had a question?

Hardesty: Yes I did, mayor. Thank you. I have a question for Mr. JR. He was talking about how to build a platform. So when the city passed the ordinance that actually limited the overhead charge, I believe your platform and the other third party platforms just added a tax and you just passed it on to your customers. So I don't understand why this presents the marketing that you claim you provide for restaurants because it's not costing you anything. You've passed on that fee to your customers, so I was confused by that statement.

Starrett: Happy to give you clarity on that. So grubhub, we have a three-tier system that allows delivery and marketing services, our basic plan is that 15%. 10% of those funds go directly to the courier who's delivering the food. 5% is the basic option dedicated towards marketing. It goes up from 15%, 20%, 25% and whatever package the restaurant selects, many restaurants select 20% or 25% to expand marketing opportunities. That gives them access to search engine optimization. Google web services. We design websites for many of our partners we engage with. Those packages and those services cannot be transferred to a fee to a diner. Those have to come out of the commission and the agreement that we have with our independent restaurants.

Hardesty: So, I guess -- let me ask that question another way. I've also used these services during covid. I found them extremely expensive for myself as a consumer and what I've heard from restaurants is this is very expensive for them to use these services as well. Many times that I'm making a decision, do I just not put this order in because of all the hidden fees that are charged. I'm trying to understand how limiting what you can charge the consumer which is me, the one that's putting the order in and waiting for the food to show up. You charge me 10%, but yet there's additional fees that ends up increasing the cost significantly with delivery fees and then it's like a couple of other fees that are listed in. So you think you're paying a 10% fee, but actually you're paying almost 80% more for food that would be a lot cheaper if I was able to go into the business to pick it up. And so, again, it's not a model that everybody would be able to

support. It's a very exclusive business model based on what I've been able to understand in my short time of interacting with this third party system.

Starrett: Absolutely, commissioner. And just to provide some clarity. The 10% under the ordinance is applied to restaurants and not diners. That 10% limits the restaurant's ability to engage in additional advertising and market services. Those are optional for restaurants.

Hardesty: -- not with them during community advertisement and community newspapers or other community advertisement; is that correct?

Starrett: It limits the third party platform.

Hardesty: Please continue.

Starrett: Those are my comments. I hope I answered your question.

Hardesty: As well as you could probably. Thank you. Thank you, mayor.

Clerk: Next up, we have Miguel Galvan Acosta.

Miguel Galvan Acosta: Hello. So nice to meet you, mayor Wheeler and commissioners. My name is Miguel Galvan Acosta and I dash for Portland and I'm also a consultant or whatever. My opinion is more of like a -- it's like from a dasher point of view. I work night shifts and I started working for door dash recently and it's really helped me with my gas, my spending and all that. As far as everything goes, it's been very difficult seeing how everything's very inflated here in town and everything. You know, I've been working all around the northwest. I've been all the way down to Albuquerque, California, and Oregon, and I've seen many different places, you know, different spots and stuff, you know. And, personally, I kind of sense this very big depression everywhere I go, including here in Oregon dashing recently. I've noticed that the food and like diners and all that stuff have very little people working in diners. Everybody's struggling and just, you know, and it's not right to like for us, for everybody that's ordering door dash and paying for these services, you know, to have to pay more when the people that were actually making the profit and all that or anything like that in that sort of sense. Not to

have to pay more, you know. So continuing my because I took some notes. Just please consider that. Delivery workers like myself because it negatively impacts the price control on the legislation we have learning about votes and all that stuff. I'm speaking to you today to vote against our price control on app based delivery fees that would increase the cost to customers and limit their earnings for dashers like me. The legislature may directly impact my ability to learn and from how long I want and that's it. Thank you, guys.

Hardesty: Mayor, if I may ask Miguel a question.

Wheeler: You bet. Of don't hang up yet, Miguel. Go ahead, commissioner Hardesty, and then commissioner Mapps.

Hardesty: Thank you. Miguel, I'm a little confused by your testimony. You are someone who delivers for door dash; is that correct?

Galvan Acosta: Yeah, that's correct.

Hardesty: And how is this impacting your ability to deliver for door dash?

Galvan Acosta: So far what I've seen with door dash including for the dashers, we make so little already for every delivery we make and so far what I've seen, I'm spending more on gasoline than what I'm actually earning and coming home with sometimes. It's not an everyday thing, are you know. You've got to wake up really early just like a regular job. Second, I'm already working and I'm already stretched so thin with bills and debt that I already have and door dash has really helped me with that.

Hardesty: So, Miguel, it doesn't sound to me like door dash is being really helpful with that if you are working quite a bit with doordash, but yet you still find yourself houseless or having trouble paying your bills.

Galvan Acosta: I have an apartment. I mean, I pay bills. I pay my bills to uncle Sam too.

Hardesty: We all pay uncle same We don't have a choice in that matter. But I'm just trying to understand how this 10% charge on doordash itself is going to impact your life one way or the other. Because what you testified to didn't make sense to me that the

10% that we're adding that will continue as the limit that's nothing to do with you as a delivery of the food. It has everything to do with the consumer paying that additional dollars.

Galvan Acosta: That's correct. You're right. It affects the consumer and me as a dasher, I'm not only providing the service, I also have the option to purchase, you know, dashes too. You know, I'm a young man and including myself and a lot of people I'm pretty sure don't really like to have to go out and go get some food usually and it's just a new century. It's the 22nd century. It's what people are doing now.

Hardesty: Thank you. I was trying to get a better understanding. Go ahead.

Galvan Acosta: We've been locked up in our homes for like I want to say maybe two years already and I get it that going out to eat once a week is great for the family and it's great for the heart, but throughout the entire year and throughout the entire time, you know, I'm not going to be, you know, dashing is an option. I choose to go to work or not because I get home really tired and I choose to sleep throughout the whole day. If I wake up prior to going to work I will go door dashing, but don't think the earnings that I'm making in a doordash day is a lot more -- in good days or not. Of there's peaks and there's no peaks in stuff like that. It varies, you know. I just started doing this. I'm not well-informed obviously because I'm understanding already this week.

Hardesty: Let me just say, thank you, Miguel. It feels like you have been given some talking points but it's not really talking points that you believe in your heart and soul and so I'm just going to take that at face value that this is a job you work part-time and sometimes it's a good job and sometimes it's not. Thank you very much for being here. Appreciate your time.

Wheeler: Commissioner Mapps.

Mapps: Hi, Miguel. I want to thank you for showing up to testify today. I wanted to pick your brain on something. I'll tell you over the last couple of weeks, I've heard from a lot of people who are exactly in your situation. They drive for one of the delivery companies

and they tell me in the e-mails that have been coming in to my office that if we were to lower the cap even further, you know, people like you would lose their jobs. At the same times, I've heard from many local restaurants today who tell us that even with the current fees that we have, you know, maybe you make 8% running a restaurant and your doordash fees are 10%, so in the end, you're kind of losing both on the economic side and you're losing control over your ability to talk to your customers and build your customer base. You're a young man and you'll go on and do other things beyond doordashing in the near future. But you also are in a unique position because you're living and doing this work. Do you have any -- how do you think about this problem? Do you have any advice for me? For how I should think about this dilemma? On the one hand I have good guys like you and on the other hand, I have small restaurants who seem to want kind of mutually exclusive I was just wondering if you have any thoughts.

Galvan Acosta: Well, I think of it as a big pot and it's the flow of money at the end of the day, what comes in and what comes out and personally -- pay. Who's going to take the bomb is the question. That's just my opinion about it. And who's going to suffer and who's going to benefit from it. Personally, I'd rather have us who buys the food and orders the food and even works for the place or whatever, right. Whatever we're defending, shouldn't have to suffer.

Mapps: All right. Thank you, Miguel. I appreciate your testimony today.

Galvan Acosta: Appreciate it. You guys have a good day.

Clerk: Our final testifier is Anna Richter-Taylor.

Wheeler: Welcome, Anna.

Anna Richter-Taylor: Hi. Good afternoon mayor and members of the council. I will be very quick because I know you're over schedule. I'm here on behalf of uber eats. I think the point it reads today is that there's been a lot of really good work over the last couple of months, the last meeting in particular that your office convened, mayor was very helpful to hear all sides and understand the perspective of the restaurants and from

uber eats perspective, they support some extension of the current policy as you're moving forward today, we hope and they want to remain a participant in the next steps so we come into a policy that's more permanent that's certain and meets the goals of all parties involved. With that, I will close out and thank you for your time.

Wheeler: Thanks, anna. Appreciate it. All right. Colleagues, does that complete testimony? I want to make sure I got that right?

Clerk: Yes, it does.

Wheeler: Very good. Any further questions or discussions? Seeing none.

Hardesty: Mayor.

Wheeler: Commissioner Hardesty.

Hardesty: Thank you, mayor. I know what we are voting on today is just extending for an additional eight months what we passed during covid. Is there a plan for more engagement over the next eight months? And, if so, where when is that process going to happen? I didn't know these meetings were taking place until they showed up on the agenda? Are these businesses. And these third party systems that deliver food?

Wheeler: Excuse me. The answer is, yes, we're going to continue these conversations. To boil a very complex issue down into one sentence, there was an attempt to find commonality and an agreed upon compromise that would allow the restaurants to continue to be viable and allow these delivery platforms to continue to provide an important service in the community. The two sides are very far apart. There's no venn diagram here. There's no intersection between the interests of these two parties in this particular juncture. And so we felt that the best strategy would be for us to continue the conversation, see if there's not an opportunity to forge a compromise. Obviously, over the course of the next several months, this conversation may be in some way informed by legal activities that are taking place in other cities. I also just -- well, I'll explain myself during my voting remarks, but there's a lot at stake here particularly for the city of

Portland and I cannot underscore that enough. So I think it is very important that we do continue the conversation.

Hardesty: Thank you, mayor.

Wheeler: And others, Andrew Fitzpatrick and others from my office will continue to lead the effort. Commissioner Ryan.

Ryan: And the reason why we're voting an emergency ordinance today is because we're coming up on a deadline.

Wheeler: 29th is the expiration of the existing policy and we'd like to extend it for eight months.

Ryan: Okay. And we've never had a work session -- I mean, this is the first real discussion we've had on it.

Hardesty: As we passed it, yes.

Ryan: Okay. Yeah. There's just more questions now. Yeah.

Hardesty: Mayor, I think that's a great idea that commissioner Ryan just had, maybe we need a work session or some other more formal thing because I'd like to broaden the conversation because what I hear from small businesses in my neighborhood is that these third party platforms are too expensive for them to actually be able to utilize. I don't know if we're having a broad enough conversation to help us make the best policy possible. I'm very committed today happy to extend it for another eight months, but I would be happy to work with you to figure out what voices have we not talked to and what are many other alternatives we may come up with the next eight months.

Wheeler: Yeah. I'm certainly happy to have the partnership with anybody and everybody who's interested in pursuing this.

Hardesty: Great.

Wheeler: Ultimately, the council's going to have to make a decision, but I think it's important for us to take the time to continue the conversation. What we hoped would happen was that we would bring a consensus package before the city council. That did

not happen. I don't want to force one without full knowledge and information.

Therefore, I still think the extension is the right way to go here.

Hardesty: I support that.

Wheeler: Very good. Any further questions or discussion? Keelan, please call the roll.

Clerk: Ryan

Ryan: Yeah. Thank you. First of all, I just want to thank the people who testified today. I have some prepared remarks, but they don't seem to make as much sense now that I listened to all the testimony. I was especially taken with our small business entrepreneurs, our restauranteurs. We are a city that we're a foodie city and some of the testimony was accurate. People do flock to Portland based on that and we have been an entrepreneur in setting trends. And so the threat of what these platforms are doing to the soul of something that's so the essence of Portland in our spirit or entrepreneurship is something that does merit a further discussion and I appreciate that the mayor's office brought this to council today with just an extension. I appreciate that the testimony today was really balanced and you could feel the nuance of some of it, but mostly I could see what you're saying about it being divided. And so I'm only supporting the extension because this is complex and we need to dive into it. And I really, again, want to thank the testimony that we received today and I'll end with this, mayor, I thought it was very helpful when you did the q&a with one person to understand this issue better yourself and all of us and I think the public is probably just not that informed on this issue and I know that we all during covid built some habits that we'd like to let go of them. I know I'd like to lose 10, 15 pounds. I kind of blame these platforms on some of it. But this is a moment we have to take pause. I'm sure this is pleasing no one, but it's our best opportunity to keep meeting and have good intention on this dialog. So for today, I'll vote aye.

Clerk: Hardesty.

Hardesty: I came into this really having no clue where I would land on the vote for this extension. I can tell you that based on the testimony that we've heard today and my interaction with JR And listening to the work that director Lannom has done with our office of revenue, it is clear to me that this is as clear as mud. And that it's really going to be vital that as we move forward, I hope that we really broaden the conversation a bit. I mean, you know, I'm one of those people that think about, why don't we develop our own platform? Why doesn't the city develop one? We could. We have the technology. We have the expertise. We can do something better here that actually doesn't feel like we are exploding either people who are delivering the food. I talk to folks all the time who feel like if they don't drive 80 hours a week, they don't make enough money to be able to pay their bills. These are real-life consequences of changing a behavior and then utilizing platforms that are created to make some people rich at the expense of others. I am going to vote yes today, but I really want to get into more details about what is possible over these next eight months and how do we support our most vulnerable restaurants. We've lost a lot since covid began. We've also opened a lot of brand new restaurants that may or may not survive because most of us don't. And the first five years that they survive five years and as we start coming back, I hope we start thinking about the unintended consequences of some of the actions that we take as a council and this is one that I think as we passed it, it makes sense and it would have still made sense if it wasn't passed over the consumer which is what these companies do. I vote yes today and vote more conversation and more opportunities for us to get this right if we're developing a permanent policy. I vote aye.

Clerk: Mapps.

Mapps: I want to thank everyone who showed up to testify in person or online. The dialog we had here today was quite constructive and does a good job of illustrating where we're at and I think the mayor did a great job of summarizing that. There is no overlap in this venn diagram and I also want to take a moment to applaud and

recognize the mayor for his leadership for pulling together a table to try to figure out how we can help the restaurant industry adjust to post covid conditions. It seems like we have more work to do here. I want to pause and take a moment to encourage everybody to stay at the table over the next eight months as we figure out how to make this work better for everyone. I also want to highlight one thing which I learned today which I think is quite important. If you're a Portlander and you want to support your local restaurants, a think that you can do is order take-out and pick it up yourself. It seems like that is the sweet spot in this debate right now. But in the meantime, we will have to figure out what to do. But until we figure out a better solution than what we have today, I am happy to support extending the status quo for another several months and for these reasons and more, I vote aye.

Clerk: Wheeler.

Wheeler: Thank you, colleagues, for the discussion today and I want to thank the bureau of revenue and financial services for both presenting this afternoon and administering the policy and I want to thank all members of the community who've shared their perspectives today. I want to specifically recognize city attorney Robert Taylor as well as Adrienne DelCotto and the attorney's office for the assisting in this process. I want to thank them for doing the hard work. I also want to appreciate all the restaurant and food cart owners and employees who took time out of their busy schedules to constructively engage with us this afternoon on this important issue as well as previously. I also want to thank the food platforms for their collaborative participation in the stakeholder process to date and going forward. Clearly, as everybody said, there's more work to do to forge a sound, long-term policy to ensure our city's restaurants are supported and provided affordable access for food take-out and delivery services. This ordinance is an important near-term protection for recovering businesses while we do that work. A couple of additional points. Number one, this is not an even contest. We have mom and pop businesses and food cart owners going up against some of the

largest companies in America on a capitalization basis. Doordash. I use doordash. It's great service. I always appreciate my dashers. I believe I'm a generous tipper. I really need to use the service. The doordash earned \$5 billion last year. \$5 billion. They're projected according to their own estimates to earn over \$8 billion in 2022. And their current market capitalization is \$72 billion. And what they are capitalizing on is a fundamental shift in the way Americans engage with the culinary industry. And increasingly what Americans are saying is they would rather stay at home, pick up the app, and have that food delivered. And that's great, it's nearly magical, but what you've heard today from some of our restauranteurs and food cart owners is it comes at a cost. As I hit at it earlier, I think Portland has more to lose than other cities if we get this wrong. As you heard from one of our restauranteurs and I agree, Portland is known for its culinary industry. We had so many firsts as a city in terms of developing farm to table, in terms of developing a focus on the ingredients that go into food and the sourcing of food. And all of that was dependent upon Portlanders coming out and supporting the culinary industry. Of course, as you heard in different testimony earlier today, the food cart industry basically started here in the city of Portland. That was an innovation that came from our culinary industry that we brought to scale and then other cities followed suit. This new platform if it is not bracted appropriately threatens all of that and so, it's important for me that we get this right. And I also want to be transparent. While I respect the food delivery platforms and I certainly respect the local folks here who've worked hard with my staff and others, if I am forced to choose, if there is no bringing together, if there's no intersection in that venn diagram and I'm forced to choose, the choice for me is extremely easy, I will side with our local restauranteurs because I see it as central to our community that they thrive and succeed. So I'm not putting that out there as a threat to the food delivery platforms. I'm simply saying you're the big dogs in this equation. You're the ones with the resources. You're the ones with the money. You're the ones with the market capitalization. You're the ones with the venture

capitalists. You're the ones with the lawyers and the lobbyists. And so I'm asking you to understand clearly as the mayor of the city of Portland, Oregon, if forced to choose, I will choose our local businesses first. That being said, I look forward to engaging openly and thoughtfully over the course of the next eight months. It sounds like my colleagues are interested in this discussion and would like to participate and broaden that discussion. I welcome that. And we'll continue to move forward and I hope we can all reach an amicable compromise and we'll be back here in eight months shaking hands and reaching an agreement. That's my hope and aspiration going forward. With that, I vote aye. I believe that concludes our business for today. Is that correct?

Clerk: It does, mayor.

Wheeler: All right. Thanks everybody. Everybody who testified. We are adjourned.

At 3:19 p.m., Council adjourned.