



## September 4-5, 2024 Council Agenda

5781

1900 SW Fourth Avenue, Room 2500, Portland, OR 97201

In accordance with Portland City Code and state law, City Council holds hybrid public meetings, which provide for both virtual and in-person participation. Members of council elect to attend remotely by video and teleconference, or in-person. The City makes several avenues available for the public to listen to and watch the broadcast of this meeting, including the [City's YouTube Channel](#), the [Open Signal website](#), and Xfinity Channel 30 and 330.

Questions may be directed to [councilclerk@portlandoregon.gov](mailto:councilclerk@portlandoregon.gov)

### Wednesday, September 4, 2024 9:30 am

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**Session Status:** Recessed

**Council in Attendance:** Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Commissioner Rene Gonzalez

Commissioner Mingus Mapps

Mayor Wheeler presided.

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

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

Council recessed at 9:43 a.m. and reconvened at 9:46 a.m.

Council recessed at 10:09 a.m. and reconvened at 10:11 a.m.

Council recessed at 11:20 a.m.

### Communications

757

[Request of Angelita Morillo to address Council regarding Portland Gray Panthers](#) (Communication)

**Document number:** 757-2024

**Council action:** Placed on File

Cayle Tern presented to Council for Item 757.

758

[Request of Jeremy Smith to address Council regarding Portland Gray Panthers](#) (Communication)

**Document number:** 758-2024

**Council action:** Placed on File

759

[Request of Jennifer Park to address Council regarding Portland Gray Panthers](#) (Communication)

**Document number:** 759-2024

**Council action:** Placed on File

Chelsea Cain presented to Council for Item 759.

760

[Request of Meaghan Wilkinson to address Council regarding Portland Gray Panthers](#) (Communication)

**Document number:** 760-2024

**Council action:** Placed on File

761

[Request of Lew Church to address Council regarding Portland Gray Panthers](#) (Communication)

**Document number:** 761-2024

**Council action:** Placed on File

## Time Certain

762

[Proclaim September 9-13, 2024 to be Geek Week](#) (Proclamation)

**Document number:** 762-2024

**Introduced by:** Mayor Ted Wheeler; Commissioner Mingus Mapps

**Time certain:** 9:45 am

**Time requested:** 20 minutes

**Council action:** Placed on File

763

[\\*Authorize new construction financing for an affordable housing project located at 4160 NE Halsey St to be developed by BRIDGE Housing Corporation or an affiliate for amount not to exceed \\$33 million](#) (Emergency Ordinance)

**Ordinance number:** 191881

**Introduced by:** Mayor Ted Wheeler

**City department:** Housing Bureau

**Time certain:** 10:05 am

**Time requested:** 30 minutes

**Council action:** Passed

Aye (5): Rene Gonzalez, Mingus Mapps, Carmen Rubio, Dan Ryan, Ted Wheeler

## Consent Agenda

764

[Revise sewer and stormwater system development charges and the Portland Harbor Superfund charge in accordance with the FY 2024-25 budget](#) (Ordinance)

**Ordinance number:** 191885

**Introduced by:** Mayor Ted Wheeler

**City department:** Environmental Services

**Council action:** Passed to second reading

Passed to second reading September 11, 2024 at 9:30 a.m.

765

[Authorize Intergovernmental Agreement with Metro for a total amount of \\$1,020,601 to support programs in waste reduction, recycling, and composting](#) (Ordinance)

**Ordinance number:** 191886

**Introduced by:** Mayor Ted Wheeler

**City department:** Planning and Sustainability (BPS)

**Council action:** Passed to second reading

Passed to second reading September 11, 2024 at 9:30 a.m.

766

[\\*Approve Intergovernmental Agreement for Right of Way Services with the Oregon Department of Transportation for the the NE 122nd Ave Safety & Access: Beech St – Wasco St Project](#) (Emergency Ordinance)

**Ordinance number:** 191878

**Introduced by:** Mayor Ted Wheeler

**City department:** Transportation

**Council action:** Passed

Aye (5): Rene Gonzalez, Mingus Mapps, Carmen Rubio, Dan Ryan, Ted Wheeler

767

[\\*Approve Intergovernmental Agreement with the Oregon Department of Transportation for services related to the 122nd Ave Safety Upgrades: Sandy Blvd to Foster Rd Project](#) (Emergency Ordinance)

**Ordinance number:** 191879

**Introduced by:** Mayor Ted Wheeler

**City department:** Transportation

**Council action:** Passed

Aye (5): Rene Gonzalez, Mingus Mapps, Carmen Rubio, Dan Ryan, Ted Wheeler

768

[\\*Authorize Bureau of Transportation to acquire certain permanent and temporary rights necessary for construction of the 82nd Ave Major Maintenance Project Segment C through exercise of the City's Eminent Domain Authority](#) (Emergency Ordinance)

**Ordinance number:** 191880

**Introduced by:** Mayor Ted Wheeler

**City department:** Transportation

**Council action:** Passed

Aye (5): Rene Gonzalez, Mingus Mapps, Carmen Rubio, Dan Ryan, Ted Wheeler

769

[Amend bike-share contract with Lyft, Inc. to increase contract value not to exceed \\$26,480,000 and modify term date \(amend Contract 30007443\)](#) (Ordinance)

**Ordinance number:** 191889

**Introduced by:** Mayor Ted Wheeler

**City department:** Transportation

**Council action:** Passed to second reading

Passed to second reading September 11, 2024 at 9:30 a.m.

## Regular Agenda

770

[Appoint Peter Andrews to the Steering and Oversight Committee for the Homelessness Response System Intergovernmental Agreement](#) (Report)

**Document number:** 770-2025

**Introduced by:** Mayor Ted Wheeler

**Time requested:** 20 minutes

**Council action:** Confirmed

Motion to accept the report: Moved by Mapps and seconded by Gonzalez.

Aye (5): Rene Gonzalez, Mingus Mapps, Carmen Rubio, Dan Ryan, Ted Wheeler

771

[Authorize the City Attorney to appeal the judgment in Kelly Jones as Personal Representative for the Estate of Michael Townsend v. City of Portland \(Circuit Court of the State of Oregon for the County of Multnomah Case 22CV05575\)](#) (Resolution)

**Resolution number:** 37674

**Introduced by:** Mayor Ted Wheeler

**City department:** City Attorney

**Time requested:** 10 minutes

**Council action:** Adopted

Aye (3): Rene Gonzalez, Mingus Mapps, Ted Wheeler

Nay (2): Carmen Rubio, Dan Ryan

772

[Authorize expansion of the Portland Police Bureau Unmanned Aircraft System Program for purchases not to exceed \\$98,000](#) (Ordinance)

**Ordinance number:** 191882

**Introduced by:** Mayor Ted Wheeler

**City department:** Police

Second reading agenda item 753.

**Council action:** Passed

Aye (5): Rene Gonzalez, Mingus Mapps, Carmen Rubio, Dan Ryan, Ted Wheeler

773

[Adopt a citywide Outgoing Grants Administration policy](#) (Ordinance)

**Ordinance number:** 191883

**Introduced by:** Commissioner Dan Ryan

**City department:** Grants Management

Second reading agenda item 754.

**Council action:** Passed

Aye (5): Rene Gonzalez, Mingus Mapps, Carmen Rubio, Dan Ryan, Ted Wheeler

## Wednesday, September 4, 2024 2:00 pm

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**Session Status:** Recessed

**Council in Attendance:** Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Dan Ryan

Commissioner Rene Gonzalez

Commissioner Mingus Mapps

Mayor Wheeler presided.

Officers in attendance: Adrienne DelCotto, Senior Deputy City Attorney; Keelan McClymont, Council Clerk

Council recessed at 3:14 p.m. and reconvened at 3:18 p.m.

Council recessed at 4:58 p.m.

### Time Certain

774

[Authorize a term sheet to serve as a guide for project agreements for the Oregon Museum of Science and Industry Central City Master Plan District](#) (Resolution)

**Resolution number:** 37675

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

**City department:** Prosper Portland; Transportation

**Time certain:** 2:00 pm

**Time requested:** 45 minutes (1 of 2)

**Council action:** Adopted

Aye (5): Rene Gonzalez, Mingus Mapps, Carmen Rubio, Dan Ryan, Ted Wheeler

775

[\\*Authorize Intergovernmental Agreement between Prosper Portland and Bureau of Transportation to construct the New Water Avenue project in Central Eastside in the amount up to \\$16,900,000](#) (Emergency Ordinance)

**Ordinance number:** 191884

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

**City department:** Prosper Portland; Transportation

**Time certain:** 2:00 pm

**Time requested:** 45 minutes (2 of 2)

**Council action:** Passed

Aye (5): Rene Gonzalez, Mingus Mapps, Carmen Rubio, Dan Ryan, Ted Wheeler

776

[Add Community Police Oversight Board pursuant to Portland City Charter Chapter 2, Article 10 \(add Code Title 35\)](#) (Ordinance)

**Ordinance number:** 191892

**Introduced by:** Mayor Ted Wheeler

**City department:** City Attorney

**Time certain:** 2:45 pm

**Time requested:** 1 hour

**Council action:** Passed to second reading as amended

Vote called. Item failed to pass. (Y-3 Mapps, Rubio, Ryan; N-2 Gonzalez, Wheeler)

Motion for reconsideration: Moved by Wheeler and seconded by Mapps. (Y-5)

Motion to remove the emergency clause: Moved by Wheeler and seconded by Mapps. (Y-5)

Passed to second reading as amended September 11, 2024 at 9:30 a.m.

## Thursday, September 5, 2024 2:00 pm

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**Session Status:** Adjourned

**Council in Attendance:** Mayor Ted Wheeler

Commissioner Carmen Rubio

Commissioner Rene Gonzalez

Commissioner Mingus Mapps

Mayor Wheeler presided.

Officers in attendance: Mike Porter, Deputy City Attorney; Rebecca Dobert, Acting Council Clerk

Council adjourned at 2:58 p.m.

## Time Certain

777

[Authorize grant agreements for a total allocation not to exceed \\$91,916,334 from the Portland Clean Energy Community Benefits Fund](#) (Ordinance)

**Ordinance number:** 191890

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

**City department:** Planning and Sustainability (BPS)

**Time certain:** 2:00 pm

**Time requested:** 90 minutes

**Council action:** Passed to second reading

Passed to second reading September 11, 2024 at 9:30 a.m.



Portland City Council Meeting Speaker List  
 Wednesday, September 4, 2024 - 9:30 a.m.

| Name                            | Title   | Agenda Item |
|---------------------------------|---|-------------|
| Ted Wheeler                     | Mayor   |             |
| Keelan McClymont                | Council Clerk   |             |
| Rene Gonzalez                   | Commissioner  |             |
| Mingus Mapps                    | Commissioner  |             |
| Carmen Rubio                    | Commissioner  |             |
| Dan Ryan                        | Commissioner  |             |
| Anne Milligan                   | Senior Deputy City Attorney                                   |             |
| Jeremy Smith                    | (Communications)  | 757         |
| Meaghan Wilkinson               | (Communications)  | 758         |
| Cayle Tern                      | (Communications)  | 759         |
| Chelsea Cain                    | (Communications)  | 760         |
| Lew Church                      | (Communications)  | 761         |
| David Raycroft                  | Invited Speaker   | 762         |
| Indra Hunter                    | Invited Speaker   | 762         |
| Lisa Albani                     | Grand Magus and Co-Founder of Geek Week                       | 762         |
| Donnie Oliveira                 | Deputy City Administrator, Community and Economic Development | 763         |
| Danell Norby                    | Housing Investment & Portfolio Preservation Manager           | 763         |
| Noah Rosen                      | Director of Development, Bridge Housing                       | 763         |
| Skyler Bocker-Knapp             | Senior Policy Advisor   | 770         |
| Mike Jordan                     | City Administrator  | 770         |
| Peter Andrews                   | Steering and Oversight Committee                              | 770         |
| Naomi Sheffield                 | Deputy City Attorney  | 771         |
| Michael Fuller                  | (Testimony)   | 771         |
| Denise Chapman                  | (Testimony)   | 771         |
| Tom Hastings                    | (Testimony)   | 771         |
| Rachel Steven                   | (Testimony)   | 771         |
| Dan Handelman Portland Copwatch | (Testimony)   | 771         |
| Kelly Jones                     | (Testimony)   | 771         |
| Brian Conley                    | (Testimony)   | 771         |
| Nate Haberman                   | (Testimony)   | 771         |
| Cleric Heather Van Wilde        | (Testimony)   | 771         |

Portland City Council Meeting Speaker List  
 Wednesday, September 4, 2024 - 2:00 p.m.

| Name                            | Title   | Agenda Item |
|---------------------------------|---|-------------|
| Ted Wheeler                     | Mayor   |             |
| Keelan McClymont                | Council Clerk   |             |
| Rene Gonzalez                   | Commissioner  |             |
| Mingus Mapps                    | Commissioner  |             |
| Carmen Rubio                    | Commissioner  |             |
| Dan Ryan                        | Commissioner  |             |
| Adrienne DelCotto               | Senior Deputy City Attorney                                     |             |
| Donnie Oliveira                 | Deputy City Administrator, Community and Economic Development   | 774, 775    |
| Kimberly Branam                 | Executive Director, Prosper Portland                            | 774, 775    |
| Erin Graham                     | President and CEO, Oregon Museum of Science and Industry        | 774, 775    |
| James Alan Parker               | Executive Director, Northwest Native Chamber                    | 774, 775    |
| Amy Nagy                        | Development Manager, Prosper Portland                           | 774, 775    |
| Aja DeCoteau-Yakama             | Executive Director, Columbia River Inter-Tribal Fish Commission | 774, 775    |
| Diana Nunez                     | Chief Operating Officer, Hacienda Community Development Corp.   | 774, 775    |
| John Isaacs                     | Executive Vice President of Public Affairs, Metro Chamber       | 774, 775    |
| Carolyne Holcomb                | Executive Director, Central Eastside Industrial Council         | 774, 775    |
| Alyana Lockhart                 | Invited Speaker   | 774, 775    |
| Jessica Lockhart                | Invited Speaker   | 774, 775    |
| Jill Sherman                    | Co-founder, Edlen and Co.                                       | 774, 775    |
| Stephanie Howard                | Mayor's Director of Community Safety                            | 776         |
| Heidi Brown                     | Chief Deputy Attorney   | 776         |
| Chris Olson                     | (Testimony)   | 776         |
| Je Amaechi                      | (Testimony)   | 776         |
| Debbie Aiona                    | (Testimony)   | 776         |
| Dan Handelman Portland Copwatch | (Testimony)   | 776         |
| Barbara Bochinski               | (Testimony)   | 776         |
| Charlie Michelle-Westley        | (Testimony)   | 776         |

Portland City Council Meeting Speaker List  
 Thursday September 5, 2024 - 2:00 p.m.

| Name                              | Title   | Agenda Item |
|-----------------------------------|---|-------------|
| Ted Wheeler                       | Mayor   |             |
| Rebecca Dobert                    | Acting Council Clerk  |             |
| Rene Gonzalez                     | Commissioner  |             |
| Mingus Mapps                      | Commissioner  |             |
| Carmen Rubio                      | Commissioner  |             |
| Mike Porter                       | Deputy City Attorney  |             |
| Donnie Oliveira                   | Deputy City Administrator, Community and Economic Development | 777         |
| Eric Engstrom                     | BPS Interim Director  | 777         |
| Sam Baraso                        | PCEF Program Manager  | 777         |
| Darlene Chirman                   | (Testimony)   | 777         |
| Yashar Vasef                      | (Testimony)   | 777         |
| Courtney Hamilton                 | (Testimony)   | 777         |
| Margaret Salazar                  | (Testimony)   | 777         |
| Jim Plantico                      | (Testimony)   | 777         |
| David Heslam Earth Advantage Inc. | (Testimony)   | 777         |
| Babs Vanelli                      | (Testimony)   | 777         |

## **Portland City Council Meeting Closed Caption File**

**September 4, 2024 – 9:30 a.m.**

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, motions, and names of speakers are included in the official minutes.

**Speaker:** Good morning everybody. This is the. Believe it or not. September 4th, 2024, morning session of the Portland City Council.

**Speaker:** Good morning. Keelan. Please call the roll. Good morning.

**Speaker:** Gonzales here. Maps. Here. Yea. Rubio. Here. Ryan. Here Wheeler. Still here.

**Speaker:** Now we'll hear from legal counsel on the rules of order and decorum. Good morning.

**Speaker:** Good morning. Welcome to the Portland City Council. To testify before council in person or virtually. You must sign up in advance on the council agenda at [Portland.gov/council/agenda](https://portland.gov/council/agenda). Information on engaging with council can be found on the council clerk's web page. Individuals may testify for three minutes unless the presiding officer states otherwise. Your microphone will be muted when your time is over. The presiding officer preserves order. Disruptive conduct, such as shouting. Refusing to conclude your testimony when your time is up or interrupting others testimony or council deliberations will not be allowed. If you cause a disruption, a warning will be given. Further disruption will result in ejection from the meeting. Anyone who fails to leave once ejected is subject to arrest for trespass. Additionally, council may take a short recess and reconvene virtually. Your testimony should address the matter being considered when testifying. State your name for the

record. Your address is not necessary. If you are a lobbyist, identify the organization you represent. Virtual testifiers should unmute themselves when the council clerk calls your name. Thank you.

**Speaker:** All right. Thank you. So first up is communication. And I notice Keelan. It's all from one organization. Do they want to come individually or as a group or do we know as a group as a group. All right. Keelan i'll let you call item 757758759760 and 761, please.

**Speaker:** Thank you, item 757. Request of angelita moreno to address council regarding Portland gray panthers 758. Request of jeremy smith to address council regarding Portland gray panthers 759. Request of jennifer park to address council regarding Portland gray panthers 760. Request of megan wilkinson to address council regarding Portland gray panthers 761. Request of blue church to address council regarding Portland gray panthers. Good morning.

**Speaker:** Good morning. Let you guys handle this however you want to handle it. Thank you.

**Speaker:** Probably just work down the line. Okay i'll go first. Good morning. Commissioners. My name is jeremy smith. This past week, fred meyer's workers across the Portland metro region bravely went on strike to demand fair treatment in their negotiations with their employer. As many of us know, the strike coincided with fred meyer's parent company, kroger's attempt to merge with competitor albertsons, a case that is being heard here in Portland. Corporations like kroger are a scourge on our community. They exploit our workers. They take advantage of us by price gouging and raise the market barrier of entry for small grocers and co-ops. I'm here today to urge you to call for a boycott of fred meyer's until a fair contract with their workers is reached, and to do everything in your power to vocally oppose the kroger. Albertsons merger. Thank you for your time, and I look forward to how

you will support the labor movement here in Portland during your campaigns and beyond. Thank you.

**Speaker:** Hello, my name is Megan Wilkinson and I'm a clinical therapy specialist at Unity Center for Behavioral Health. For those that are unfamiliar, Unity is an inpatient mental health hospital created through a collaboration between Legacy, OHSU, Kaiser and Adventist. It has 85 adult beds, 22 adolescent beds, and that doesn't include the psychiatric emergency services department or the brand new sobering facility. Over the last two plus years, workers have fought to unionize in an effort to stand for better patient care and better working conditions. Legacy has met those efforts by hiring anti-union lawyers from the same union busting firm that Donald Trump uses, as well as by lying under oath about our job duties and requirements. I'd also like to note that the administrator who lied under oath is also on the city's mental health advisory committee. Despite that, I'm happy to announce that as of yesterday, the NLRB informed us that we officially won our case against Legacy and their attempts to keep our bargaining units small and siloed. I've heard every single commissioner here discuss our city's challenges with behavioral health care, and I'd like to encourage you all to support the people doing the work every day. There is no behavioral health care in the city without behavioral health care workers. Thank you. Thank you.

**Speaker:** Hello there. My name is Loud. My name is Kale Teran. I am a community advocate and organizer for the Asian American communities. I also work as a civic engagement manager at Apollo. I am a candidate to represent District One for the City of Portland Council, and part of the reason why I'm running is I feel that in our district, we haven't been heard, for some examples, we need we need sidewalks and street lights and a lot of our neighborhoods. But yet we get bike lanes and cross street interventions. We need, you know, folks living off the streets. We need,

you know, shelters and transitional programs in our district, but we continue to get tents to help people, to sustain their living. Not that it's a bad thing that we're helping them maintain safe shelter, but these aren't the directions that our communities want. And the reason why I'm running is to represent community members so that we are heard. I don't know if I'll win a seat, but I wanted to come here and make sure that the message gets heard and everybody understands. I know I've met a few of you on, you know, here and there in community events. I know some of you are running for mayor, and I'd like to see our community get better represented and get the support that we need so our communities can thrive.

**Speaker:** Thank you. Gail and thank you for running. Appreciate it,

**Speaker:** Good morning. First of all, I want to thank all of you for being here. You have hard jobs. And I think, that needs to be acknowledged more, so thank you. My name is Chelsea Kane. I am an author. I have written 15 books. Seven of which are thrillers. They all take place in Portland. So I like to say I have murdered people all over town. I brought in tourism personally, just from journalists traveling here to interview me. So we've sold cigarettes and coffee. That's me. And when I was invited to come talk, I started thinking about, like, obviously, I'm here to talk about the arts and in the arts community. As you know, there's a lot of frustration, and about, how we interact with the city and how the city interacts with us and not a lot of solutions. And I posted on my, my facebook page, my personal facebook page last night, like, asking for ideas. And I was flooded with all of these ideas, some very specific, some very general, and it was all from people who, you know, who work in the arts and, you know, had had a thought but had no idea how to move that thought into action. So, you know, like, I can put all of those in an email rather than wasting your time on them specifically. But I wonder about the role of an arts

czar or like a liaison that can be an individual, who can kind of translate and manage some of those and bring some of the best ones, you know, to the council so that, one, the arts community has a contact, you know, and maybe there's an online hub, but there's a place where we can bring our ideas and feel heard, I think that that would not cost much. I think it would be pretty easy to implement, and I think that it would, it would really make people feel like there's a conversation going on and, and I think you might find that there's some really good ideas. That's it. Thank you. Thank you.

**Speaker:** Great. Thank you. And I would love to get the feedback. If you wanted to send an email I'd love to receive that. Thank you. Thank you for your testimony.

**Speaker:** And please send it to me as well. And i'll pass it on to charity. Montez, the head of the arts office. Okay. Thank you.

**Speaker:** So I'm lou mingus. Carmen. Ted renee. Dan. Good morning. Good morning. Good to see you again. I haven't seen you in a while, ted, I appreciate that michael jordan's here. I haven't seen you or met you before, but we have a specific logistical question that we've asked carmen's office about. And that's reserving room 108 in the Portland building on February 14th for our second annual, big event. And apparently we need to figure out how to actually reserve it because the new council and people don't start until next year, I want to thank jeremy, megan, chelsea and kale for coming this morning. This was somewhat, I don't know, hyphenated about who all was able to come. Angelita and jennifer park were going to come, but they're both working, so they couldn't come. They're also candidates like kale for City Council, what? I'm going to talk about is Portland gray panthers has a small pac approved by the secretary of state political action committee. We support unions like seiu and rsp, but our pac is smaller. So this is basically who over the summer, we've endorsed for different offices for president kamala harris, for



Portland mayor carmen yea. Rubio, City Council district for lisa freeman, sarah silk and mitch green, City Council district three angelita murillo or angelina murillo, tiffany lane and chris flannery, City Council, district two michelle de paz, alana pirtle, jeannie jennifer park, marty glickman, debbie kitchen, natwest. City Council, district one kale turn. Steph roth and candace avalos, Multnomah County commissioners megan moyer, shannon singleton for congress in Oregon. Maxine dexter, janelle bynum. We appreciate the service that council members do, I'm keeping track of time. We seem to be okay, mingus talked to us three times before he got elected, carmen talked to us many times. Ted talked to us when he wasn't running. That was good. Renee talked to us a couple of times. I think we saw dan Ryan once when you narrowly beat loretta smith, so we appreciate the work that you do and look forward to ranked choice voting and the next election. That's all. Thanks. Great.

**Speaker:** Thank you. Thank you all for being here this morning. We appreciate it. All right. I think we're a little ahead of the time. So let's move to the consent agenda of any items. Keelan been pulled off the consent agenda.

**Speaker:** No items have been pulled.

**Speaker:** All right, why don't we call the roll, please? On the consent agenda?

**Speaker:** Those are irrelevant.

**Speaker:** Gonzalez, I Mapps, I Rubio, I Ryan, I Wheeler.

**Speaker:** All right. The consent agenda is adopted and we're very close to the time certain. Why don't we go ahead and take about a 2.5 minute recess? And. The first time certain item Keelan item 7.62 a proclamation proclaim September 9th through the 13th, 2024 to be geek week. Our next item is a proclamation recognizing September ninth through 13th to be geek week in Portland. I'll now welcome commissioner Mapps to say a few words and introduce today's proclamation.

**Speaker:** Absolutely. Thank you, mr. Mayor. Colleagues, I am proud to sponsor this proclamation, which declares September 9th through September 13th, 2024 to be geek week. Here in Portland. Now, those folks watching us at home might be asking themselves, what is geek culture, I think there are probably lots of ways to define that. But at its core, geek culture is about passion, creativity, and innovation. It's a community of dreamers and makers who push beyond the boundaries in everything from comics and gaming to diy projects and indie publishing. Geek culture thrives on thinking differently and Portland has long been home for those who do exactly that. For decades, Portland has embraced geek culture. We are proud to be home of places and events like dark horse comics, books with pictures and our own rose city comic con. But geek week is about more than just comics. Geek week celebrates Portland's unique diy culture. It's also a celebration of Portland's 120 plus geek and geek adjacent small businesses and now, colleagues, I have the great honor of introducing a fantastic maybe, perhaps even a fantastic four panel of guests who will tell us more about geek week. Please come on up, folks. Are

**Speaker:** Good morning. Morning.

**Speaker:** Good morning.

**Speaker:** We are a smattering of the folks that have helped bring geek week together. I'd like to kick it off with lisa the wizard behind the curtain.

**Speaker:** Hi, my name is lisa albini, and thank you guys for taking the time to support us in this project, six months ago. Geek week was just a dream. An idea to celebrate the unique geek culture all over Portland. Today we return to let you know that simple dream has blossomed into an amazing reality. Starting on Friday, geek week pdx launches across the city for ten days. We will focus on the weird and wonderful geek small businesses that help make Portland so special. Geek week

has something for everyone, including game events, cosplay activities, film screenings, trivia nights, marketplaces, arcade and pinball tournaments, and family friendly events and so much, much more, geek week includes over 450 different events and activities across over 115 businesses in the city. The event involves an additional 35 businesses and communities, many who have partnered with existing businesses to create very special exclusive events. There are 40 exclusive events in addition to all the other ones, just a couple of them to let you know what they look like on Monday night. You can join us at cinema 21 to watch animation. After dark, which is a compilation of the best animated film films from the fcat film festival. Those are the winners. Local filmmakers will also be present. If anyone wants to talk to them about the films they made, battlegrounds gaming cafe has is creating a week long gameforge contest that encourages teams of designers to create a brand new board game. Then teams of players will vote on it, score it, and a winner will be announced at the end of the week. If you like cosplay, you can join us at the society hotel for the steampunk soiree, that's all about showing off, having fun, and eventually prizes are going to be given out for that. And then our closing event is our mini, our geek week mini comic con. It's an extravaganza at the lloyd center, and it will include a special marketplace led by pixie panic. And it also includes a kids larping event, which is live action role playing, there are multiple d&d games that are going to be held. There's cosplay skating, including a whole bunch of other fun things. So, we had two goals when we imagined geek week. First, we wanted to highlight all the geeky uniqueness throughout Portland. Second, we wanted to support the diverse and wonderful small businesses that constitute the backbone of our city by emphasizing and promoting these businesses, we want to encourage everyone to explore and support their local communities. We hope that geek week proves we have been successful doing both. All of this has been made possible by

the wonderful partners we have found all over this place. During this process, almost universally, people have welcomed this idea with open arms at every level, from the mayor and the City Council to the business owners to the individual geek file. People have been incredibly supportive. Not just us, but to each other people. Sorry. Geek week was only possible because of the tremendous partnerships and support people have been willing to offer each other. We're really excited to introduce one of our key partners to you today, Indra Hunter. Here is the owner of Pixie Panic, and she's an artist and a small business owner who is actually running our marketplace. And she's going to kind of tell us about it.

**Speaker:** Yeah. Hi, I'm Indra, I'm the founder of Pixie Panic Market. We started our group after we noticed how many patrons and artists were left unable to gather at events within the geek and alternative arts community due to financial or social barriers. So we made our own miniature version of these networking and geek based alternative conventions, ones where people of all races, genders, ages, sexualities and economic backgrounds are welcome in our current culture, there is a lack of spaces and event spaces, and these events allow us to take back our neighborhoods by focusing on mini cons and fantasy fairs, we can finally, after years of being torn apart by hyper individualism, use play in the act of learning. Make believe storytelling and art to become neighbors again. I we are really excited to be partnering with Geek Week PDX for the September 14th to 15th mini con at Lloyd Center, and I guess you could say, if you pardon a little satire, we're making Portland weird again.

**Speaker:** Thank you, I'm David Raycroft, I'm the chief goblin wrangler for Geek Week PDX, and on behalf of all of the artists, dreamers, creators and innovators that call Portland home, I thank you, Mayor Wheeler and the City Council, for recognizing the wonderful weirdness that makes this city unique. But I'm not really here to talk

about geek week, I'm actually here to extoll the virtues of geek culture as commissioner Mapps, cultivated for us at the beginning. Geek culture is so much more than just a week here in Portland. It's a way of life. It's the soul of the city. Just to give you an example, this weekend alone, the first annual weird fest is going to be taking place at oaks park amusement, hosted by the unipiper. One of the iconic characters of the Portland geek community, dungeons and drag queens live, which is an improv show based on dungeons and dragons, is going to be at the alberta abbey. And of course, rose city comic-con, which is kind of the granddaddy of greek geek culture here in Portland, is going to attract 50,000 of my nerdy kin to the city for three days, and we're inviting those people and everybody in the community to stay longer, eat more, shop more often, and just nerd out with the rest of us. I'm sharing the tapestry of the quirky geek culture, to emphasize how deeply it runs through the veins of the city. Just to give you an example, at the end of the month, the Portland symphony is going to be presenting close encounters of the third kind. That's one of eight geek themed symphonies that they are going to be performing. This year. It actually represents 50% of their schedule, so the force is strong in the geek community, and geek culture is art culture. It's music culture, it's film. It's food and wine and craft beer and mead. It's even fashion culture. As long as you've got a lightsaber. Geek week has been made possible by the efforts of a few feisty volunteers, and imagine the power that a few people can do to build a spotlight on these 150 plus small businesses and these over 400 events. But imagine the power of enlisting the engine of full civic engagement, and how much of a draw what what a bright light we can shine on Portland as a community. I do want to thank a few specific people who, without whom's assistance, we wouldn't be here. Jackson paul from commissioner Mapps office without his guidance and direction, we'd still be wandering the parking lot, trying to figure out where to go, angelina. Rico cornwall

and adelina adelina cano rodriguez from commissioner Rubio's office have also helped with scheduling and making sure the right people are in the right place at the right time, alex croft and jill swade from commissioner Ryan's office have kept us connected to the art community and help us to inspire that segment of the geek culture, as well as dairy and jones from the office of arts and culture. And finally, I really need to thank ness dolan from the office of film and events, he actually helped create the partnership we have with rose city comic-con, which is really helped amplify the message, and we wouldn't be here without these people and dozens of others who have made this possible. So now I ask you, mayor Wheeler, and the members of the City Council, to join me in imagining, know to join me in creating a future where creativity, inclusivity and innovation take flight. Daytona beach has bike week, austin has south by southwest. Well, Portland has geek week pdx. Let's make it magical.

**Speaker:** Thank you. That's great. Thank you. And is that the I believe is that the end of your formal presentation?

**Speaker:** I'm afraid our fourth is off fighting dragons in the form of covid.

**Speaker:** Today I want you to thank them for their service to our city and to their service to all of humanity. Before you folks go, I have a couple of questions. I was just looking at this flier that you handed out. It's beautifully done, and I notice you have a great map, and it certainly looks like there are events happening all over the city, if you're a Portlander who wants to participate in one of these 300 plus events, where do you go to find out more information?

**Speaker:** Yeah. Geek week pdx .com has a comprehensive listing of every single event that's going to be happening, kicking off with rose city comic con and concluding with the mini con at the lloyd center, it also has a more comprehensive

map, we put what we can on paper, but can can get a lot more expansive on digital. But geek week pdx.com.

**Speaker:** Great. Thank you very much. I see commissioner Rubio has her hand up, so i'll hand the floor over to her in a moment. And I'd encourage you to stick around because I'm about to read the proclamation. But before I cede the floor, I want to go back and underscore, a theme that you brought about, which is just the great work my staffer, jackson paul, has done in this space. I'll tell you, if it weren't for jackson, I would be out in the parking lot still trying to figure out where to go, and I'm not at all surprised that you have a similar experience, commissioner Rubio.

**Speaker:** Commissioner Rubio, thank you.

**Speaker:** I just wanted to, echo my excitement for geek week. I know we were all here just a few months ago talking about the plans, and now we're here, and so thank you for bringing fun into the city for this week, we need we you know, we need fun here, I'm also really glad that prosper's events and film office is working with you, because it it helps to showcase, the creativity and the talent and the businesses and activations connected to exactly what you're doing. And, I'm thrilled to see they were able to sponsor as well, but also because it honors geek culture, geek culture, like you say. And as a way to become more visible as a signature part of what makes Portland special and unique. So congratulations. I look forward to seeing you at your kickoff and a great job.

**Speaker:** Thank you. Thank you, commissioner Ryan.

**Speaker:** Thank you, commissioner maps for bringing this forward. Lisa. Andre. David, it's good to see you again. What a great presentation. And this is fabulous. This is really wonderful. It's really well done. Thank you for bringing greek week pdx to life. And you and your team, you're going to make a lot of magic happen. It's really obvious. And your presentation I haven't smiled this much at a council

meeting in a long time, so thanks for bringing joy to the council meeting. I'm a real broken record around here about activation. It really is arts and events like this that's going to bring our economy back. They say that average just \$1 spent a triples into \$12, spent around the neighborhood. And you all know that. And that's what's going to happen in Portland during this wonderful, week, from the way you've designed the wayfinding pieces, it's just so easy to navigate. And I think you're also providing a lot of leadership for others that want to emulate a little bit of this style. I want to compliment your process for artwork featured in geek week. I especially noticed that simply visiting the geek week website, you showcase so much talent in our city, and it's what what we understand is such a diverse pool. But you're really amplifying that for everyone. So you're working together, involving business owners, community and entertainment. And that's what makes it so special. So I just want to say, well done. I can't wait to see the Portland area filled to the brim with geeks, a group that proudly includes my spouse and happy anniversary emotionally, in a nod to my communications director, Margaret Week, she coined the term years ago. Live long and prosper, Portland, I vote yea.

**Speaker:** That's awesome.

**Speaker:** Commissioner Gonzalez I'm just so happy that you joined us today. And in celebration of geek week, from welcoming big conventions like comic-con to town, bringing hundreds of small creators businesses with thousands of residents and visitors to the creative contributions that this group gives our city every day, thank you, this week will activate so many of our local businesses, bring people together through shared joy and interest, and that's something we all need to do. And appreciate more. And I think the thing about geek week that just hits me is, you know, there's so many different ways humans connect and sometimes it's play, sometimes it's artistic expression, sometimes it's, spiritual connection. And geek



week is really a celebration of all the different ways we connect. And that's often a very personal journey. And, it's just there's a beauty in that acceptance and also an acknowledgment of how essential that is for us as a species. So go forth and find your own geek. Go forth and find what connects you. And, so again, want to thank you for being here today.

**Speaker:** Thank you, thank you. Let me ask a question. So people watching this or people who are, we'll call it geek interested. Yeah, where do they start? What do they need to know? If somebody's thinking, gosh, I really want to do it, but I'm not sure I have the right costume. I'm not sure I know what to do in cosplay. I'm not sure where would the great news is that it's open to anyone.

**Speaker:** So, geek adjacent is everything right? So if you're a cinephile, there's all kinds of movies available, if you're into tabletop games, there's all kinds of interactive gameplay you can get involved with on site and with teams. If you like cosplay, you can do multiple different events as well. That's the beauty of the city of Portland is there is so much out there. It's a bit overwhelming, to be perfectly honest with you. We thought we would get a bucket and we ended up with a swimming pool full of information and support and the deeper we went, the more we found. And we even today got more activities to be included in the event.

**Speaker:** Right.

**Speaker:** And these are kid friendly events. There's a full range.

**Speaker:** Exactly.

**Speaker:** There's a full range. And I appreciated in the presentation you were really talking about inclusivity.

**Speaker:** This is this is to celebrate everyone in our community. Everyone is welcome. And it sounds like there's a lot of events on this flier for anybody who's interested.

**Speaker:** Yeah.

**Speaker:** And the website is really where a lot of it is.

**Speaker:** Where is the website,

**Speaker:** Geek week, pdx comm geek week, pdx.com.

**Speaker:** And if people are, intimidated by the volume, a great place to start is actually the Multnomah Multnomah County library system. They've been a fabulous partner. They're one of the geek week hubs. They have events happening all week long. Makerspaces, gaming days, it's just a really good, accessible, wonderful place to start. And I hear they even carry books. It's awesome.

**Speaker:** Thank you for being here today. And thank you for this. Chamber is often a focus of anger, anxiety, frustration. And it's really great to have you here today to really not only extoll the virtues of our city and help move the economy forward, make sure that you're including everybody, because we're a very diverse city in so many different respects. And frankly, this is just fun. And now i'll turn it over to commissioner Mapps, who will read the proclamation.

**Speaker:** Great. Well, thank you so much, and now I will read the proclamation. Whereas the city of Portland has long been a hub of geek culture, with over 120 small businesses and local institutions that attract and support the geek community. And whereas the geek community inspires creativity, diversity and inclusion by highlighting the artistic contributions of all, especially lgbtq plus and bipoc constituencies and whereas geek week invites fans of all genres and subcultures to make, imagine, create, dream, and play across the city of Portland, and whereas Portland is defining a new narrative, one of unity centered around creating a single comprehensive event, the first citywide comic-con rose city comic-con, running September 6th through the eighth at the Oregon convention center. And whereas nearly 100 small businesses are hosting over 300 adventures,

including game tournaments hosted by tpk brewing and aurora vineyards, cosplay parties at the society hotel, commander cosplay and lloyd center ice rink, a treasure quest photo scavenger hunt, a geek week pdx digital passport program and film screenings, and more. The full list can be found on the geek week pdx website.

**Speaker:** Now. Therefore, i, ted Wheeler, mayor of the city of Portland, Oregon.

The city of roses do hereby proclaim September 9th through 13th, 2024 to be geek week in Portland and encourage all residents to observe this week. Thank you, thank you, thank you, mayor commissioner Mapps. Thank you. By the way, just on a note of collegiality, thank you for not only acknowledging the good work of my fellow commissioners, but it is very rare that somebody takes this time to thank our staffs and that that was truly classy, thank you for that. Thank you, thank you.

**Speaker:** Take a quick photo.

**Speaker:** Yeah, sure. Yeah. We'll take a brief recess. Keelan. Session please, next item, please. Item 763a time certain. This is an emergency ordinance.

**Speaker:** Authorize new construction financing for an affordable housing project located at 4160 northeast cully street, to be developed by bridge housing corporation or an affiliate for amount not to exceed \$33 million.

**Speaker:** This item comes to us from the Portland housing bureau. It is a financing ordinance for hollywood hub, the last project to be funded from the Portland housing bond that voters approved all the way back in 2016. All now hand it over to donnie oliveira, dca for economic development to start the presentation on this emergency ordinance. Thank you mayor.

**Speaker:** Good morning everyone. Donnie oliveira, for the record, it is my pleasure truly to kick off this item on behalf of the community and economic development service area. The ordinance before you request City Council approval for \$333 million in financing to move this important housing project forward. Financing for

this project consists of Portland housing bond funds, American rescue plan dollars, and in addition to these funds, the project will receive metro bond funds via the city known as hollywood hub. This is a new construction affordable housing project at the hollywood transit center that leverages over \$111 million of public and private financing and delivers 222 units of housing with a focus on serving families. This is the last Portland bond project to move forward to construction. On behalf of my colleagues, I would like to thank the developer bridge housing, the resident services provider hacienda and trimet as the owner of the land for delivering much needed affordable housing and culturally responsive services in partnership with the city of Portland. So now i'll turn it over to danielle norby, housing investments manager at Portland housing bureau.

**Speaker:** Thank you donnie. Good morning, mayor and commissioners, danielle norby. I'm the housing investment manager at the Portland housing bureau. And I'm joined today by noah rosen, who's the development director at bridge. Thank you for the opportunity to present this financing ordinance for the hollywood hub project today. Next slide please. The Portland housing bureau is pleased to mark this significant milestone for the Portland housing bond. Eight years after Portland voters entrusted the city with this \$258 million initiative, hollywood hub will break ground this fall. The final project out of 15 funded by the bond the city has leveraged this resource to create 1859 affordable units, exceeding our commitment to Portlanders by 43%. At this time, nearly 1300 units are open and 575 are under construction or in pre-development. Notably, more than 800 units are family sized, like those at hollywood hub, which means the city will exceed its goal for family sized units. By 29%. With this final project, we are so excited to fulfill our promise to voters to deliver high quality, permanently affordable housing in the city of Portland. Next slide please. Today's request is to finance hollywood hub, a 100%

affordable transit oriented development located at the hollywood transit center site on northeast halsey street. We thank the developer, bridge housing resident resident services provider hacienda cdc and trimet for partnering. Partnering on this project by providing the land. Next slide. The project will include 222 units of affordable housing, plus two manager units, of which 149 are counted toward the Portland bond goals. With the remaining 73 units funded by the metro bond. This will be the very first project in the city of Portland with a federal transit administration joint development agreement, in conjunction with the affordable housing construction, trimet is upgrading bus and pedestrian infrastructure to modernize the hollywood transit center, and that work has already begun. The site offers excellent access to light rail and bus lines, grocery stores, schools, and other neighborhood amenities. Fb will regulate the project for 99 years to ensure the city's investment creates permanent affordability for low income residents. Next slide. The project's 222 affordable units will be targeted to serve families from a broad range of backgrounds, including those who identify as black, indigenous and other people of color. A majority of the units are sized for families with 95 two bedroom units and 33 three bedroom units. 71 units provide deeper affordability for households, earning up to 30% of area median income, and 55 units will be supported by project based vouchers to lower the monthly housing costs for renters. Next slide. Amenities at the project include three community rooms, a community kitchen, a private meeting room for counseling and financial education services, bike park parking, and an entry plaza. Hollywood hub is on track to earn the earth advantage. Multifamily gold certification with a broad range of sustainability features, including all electric building systems and high, high efficiency fixtures. And the project team is on track to meet or exceed rfbs equity and contracting goals. Construction is expected to start in October of this year and

finish in the winter of 2027. Next slide. Hacienda community development corporation will be the resident services partner, providing a variety of family site services to residents. The organization offers culturally specific and culturally responsive services to foster a sense of safety, understanding and belonging for residents at Hollywood Hub. Hub Bridge and Hacienda will also connect residents to partner agencies for additional services to complement Hacienda's culturally specific focus. Next slide. The proposed city funding leverages over 111 million, or 2.7 times the city's investment from other financing contributed by KeyBank Metro Oregon housing and community services, and city development incentives from system development charge exemptions. Slide and again, our request today is to authorize up to 33 million in Portland bond and home American rescue plan act funding to bridge housing or an affiliate to ensure this important project can move forward. And with that, I'll hand it over to Noah Rosen for additional remarks.

**Speaker:** Thank you. Daniel good morning, and thank you for the opportunity to speak today and for your investment in this incredibly transformative project. My name is Noah Rosen, director of development for Bridge Housing here in Portland. Bridge is a leading nonprofit developer, owner and manager of high quality affordable housing with a mission to strengthen communities and improve lives. Since our founding in 1983, Bridge has participated in the creation of more than 21,000 affordable homes in Oregon, California, and Washington. Today, 30,000 residents call a Bridge community home. We are excited for the opportunity to welcome even more residents to Hollywood Hub. As Donelle mentioned, Hollywood Hub will provide more than 220 units of affordable housing to one of Portland's most vibrant, dense and walkable neighborhoods, with easy access to TriMet rail and bus services. Its location exemplifies the principles of sustainable urban living, connecting residents to the amenities and opportunities they need to thrive. None

of this would have been possible without the support and collaboration of our many partners. We would like to extend a special thank you to the city of Portland. Senator Biden's office, Portland housing bureau, trimet oaks, the Portland clean energy fund, hacienda cdc, metro and keybank, among many others. We anticipate closing in October and starting construction, and we look forward to adding to our successful track record in the Portland metro area. Thank you.

**Speaker:** Does that complete your presentation? Very good. Colleagues, any questions at this particular juncture? Commissioner Ryan well done.

**Speaker:** And it's always wonderful to see all the different partners that come together to pull these off. So I see that there's a nice investment from pcf and I didn't dig into the details. Is that is that for charging stations or what's it for?

**Speaker:** It's just north of \$8 million for a variety of improvements to the building. The biggest investment is in a high quality hvac unit for, for the various units within the building, not as exciting maybe as ev chargers, but the parking, the building doesn't have any parking, so that's why there's no. So that's why there's no chargers. Yeah, there will be a whole nother topic, but there will be chargers at the 7 or 8 stalls we have for staff and building operations. But the pcf incentive goes into making the units, livable with people live during heat heating and cooling. Exactly. Yeah

**Speaker:** All right. Very good. Do we have public testimony? Keelan.

**Speaker:** We have two people signed up. All right, let's hear from them, first up is nakia hunter, nakia was going to join us online. We'll move on, josh lucas. Josh was going to join us in person. Okay.

**Speaker:** All right. Good. Very good. Please call the roll.

**Speaker:** Gonzalez I maps,

**Speaker:** I want to thank everyone who's worked on this project. This is a space I know quite well, and this particular space, I think, plays an important role in the life of our city. I'm glad to see it reinvented. I also want to congratulate everyone. I at this point, I think at least three people on this council have had the housing portfolio in one form or another, and while we've had many struggles in the housing space, I'll tell you what I think one of the real success stories in Portland around housing has to do with how the housing bond has been administered. This looks like a really effective tool to build exactly the kind of highly affordable housing that Portland really needs. One of the things that I hope, as we move forward into the future is that Portlanders continue, to draw upon this important tool, I think this is one that actually works, which is why I am glad to vote. I yea. Rubio it's great to see this project move forward,

**Speaker:** Like most affordable housing projects, it's clear that the team at bridge has patiently and diligently patched together enough public funding sources from the bond. Both bonds, to project based vouchers and other kinds of state supports to make it work. So I'm really appreciative that you stuck with it, I love that over half of the units are family sized, that's really awesome. And it really should be the model for how we do these things, it's also great to see the ground floor commercial space and publicly accessible bike parking. It shows that there was a real acknowledgment of the specific location that it's in and its proximity to transit, and how this project can enhance the neighborhood. So that was very well done, I also know the location has had some challenges, and the loss of target was also very disappointing, but I'm very hopeful for this project and this investment, and I know that it will bring new energy to the area and open a new chapter. So I'm happy to vote aye. Ryan



**Speaker:** Donny, danielle and noah, a great presentation. Thank you so much. We all know housing production is a top priority for our region, so I'm glad to see 244 units coming to the hollywood district. I especially like the focus on family housing. As you know, I've been blabbing about that for four years. I'm also pleased to see that this represents a collaboration between the city of Portland and the federal transit administration, we really to repurpose that old transit center, especially that I hear there's no parking. It's clearly an emphasis on taking transit. So thank you. And hacienda cdc is always a good partner. So I was happy to see that I vote yea Wheeler.

**Speaker:** So when people don't like what we're doing, they show up in droves to let us know. And when they like what we're doing, we typically get no public testimony. And I think that, frankly, under appreciates the work that you have done. And I want to acknowledge not only the work of the electeds who helped champion and then ultimately steer this housing bond program over the last eight years, but also the many, many, many city employees who have really worked tirelessly on this, I spend most of my day talking about what isn't working, but I periodically get asked, what do you think? The city does really well and this is one of the first examples I would cite as something the city does well. The public entrusted us with the bond proceeds by voting for it in the first place, and the city has delivered ahead of schedule with far more units than were originally promised. As commissioner Rubio just mentioned. We also slowed it down a little bit in the beginning, and that was at the recommendation of staff with the full input of the public. And the public made two key decisions. The public said the oversight committee that number one is commissioner Rubio mentioned they wanted half the units to be reserved for family size units, and they wanted half to be targeted towards very low income individuals in our community. And you have delivered on both. And so I just want to

say, as I look at this, this is a significant success. And as commissioner Ryan indicated, it also, was dependent upon building partnerships and executing faithfully on those partnerships. And you've done that too. So this will be the last vote I probably take on a Portland housing bond project, but I just want to make sure you understand how much I appreciate the work. That's been done here. It's been done very, very well. Thank you. I vote aye and the ordinance is approved. Next item. Let's see what we have. A report 770.

**Speaker:** Appoint peter andrews to the steering and oversight committee for the homelessness response system interim intergovernmental agreement.

**Speaker:** All right. This next item obviously is to appoint a member of our committee to the steering our community, to the steering and oversight committee for the homeless response system intergovernmental agreement. I will pass it over to skyler brock to walk us through this appointment. Is skylar here? She online. She's here.

**Speaker:** She's outside.

**Speaker:** Oh, paging skyler brock or nap. You are wanted in the lobby. Oh, I see her. She's she's running. There she comes. Oh okay.

**Speaker:** Sorry. So we just teed it up.

**Speaker:** Go ahead and chime.

**Speaker:** Thank you.

**Speaker:** And I think peter andrews is still unfortunately not online yet, but I will keep checking. And ashley will keep checking. Skyler brock, for the record, mayor and commissioners, director of Portland solutions, if you'll recall, we passed the homelessness response intergovernmental agreement a couple months ago, and this is related to the non-voting position on the steering and oversight committee. So there were three there were five positions, two were called out and didn't need a

recruitment process. So that would be the ceo of home forward, the ceo of healthshare three other positions required a recruitment process. This is one of those positions so that is a nominee from a business chamber, who was then going to be approved by the city and the county and first discussed between the mayor and the county chair. So we had a recruitment process for all three positions. This is the only one that we're bringing forward today. And I will explain why. But first let me just say that two members of different chambers within the county were brought forward as potential nominees, and we are recommending, after interview process and discussion that peter andrews from the Portland metropolitan chamber or metro chamber is brought forward onto the steering and oversight committee, I'm just going to give a brief background on his work, I think you all might be aware of his participation in some of the, the homelessness response action plan work, previously. And so he has a deep commitment to the community in this area. And has really taken a lot of time to participate in a lot of this, creation of the different action items for this project and the homelessness response system and wants to continue some of that work. And he expressed a deep commitment to that in our interview process, he wanted me to share that he's also an active member of this community. He participates in a lot of other nonprofit work and is really committed to homelessness and housing, with this work with melvin mark, as the chief operating officer and then also, just in some work that he does with blanchard house, for example. And other nonprofit work within the city of Portland. I apologize that he had a commitment until 1030. So I think he is only now probably able to join online. So I don't know if he'll be able to speak for himself, but he wanted me to share that as well, I will just briefly say that for the other two positions, non-voting positions that required kind of a recruitment process, I'm going to ask for all of your help. I have talked to some of your staff as well, but we

had folks who applied, but did not qualify for either of those positions. So if you have anybody in mind or for the public, please apply online. The Multnomah County website for the homelessness response system. Those two positions, just to reiterate that we are still recruiting for non-voting positions on the steering and oversight committee. This is the governing body for the homelessness response system, one of those is a chss the supportive housing services taxpayer who is not a Portland resident. So just a clarification there. We had some folks who applied but were Portland residents and so didn't qualify, and a behavioral health expert who is not a contractor with the county, so not a contractor with Multnomah County. So if you have anybody or in the public, if there's anybody who's interested in applying, please feel free to contact me, my name is listed on this item within City Council on the website, and my email, and, or you can go to the Multnomah County website for the homelessness response system.

**Speaker:** Yes. All right. Thank you.

**Speaker:** Commissioner Mapps,

**Speaker:** I know peter well. He's a great choice for this, going to vote. I, but as long as we have you here, I was wondering if you could just give us a quick overview of where we're at with the implementation of the iga. I know there's some deadlines coming up pretty soon, and some benchmarks to. Where are we at on all that? Yeah absolutely.

**Speaker:** Commissioner. So, the homelessness response action plan, I think you'll all remember we had about 100 action items that are on that list. They've completed about 30%, I think roughly right now, they're also completing that recruitment process for those other steering and oversight committee members. The implementation committee. So that's kind of that second rung down a subcommittee that was created has met four times, I believe, and is meeting again

on Monday for the fifth time, the city administrator and I participate in those, along with Mike Myers and Helmy, the director of FB. And, and others, obviously, from around the community, kind of in leadership positions for the implementation of those items, the steering and oversight committee will meet three times. We have three meetings on the books before the October 15th, review kind of deadline. So the city, you'll remember, passed an ordinance to review that IGA, those action items and kind of the progress when we listed out, I think it's 12 different specific things to look at, around October 15th. I think that meeting has been scheduled. We are also scheduling a joint city county work session. Before that I think to give some of that information so it can be a little bit of a deeper discussion with both sides of the rivers, politicians and folks who voted for that. The county also passed kind of a partner ordinance or resolution on their end with some action items as well, to review kind of looks very similar to ours. Some are exactly the same. So tried to mirror kind of what the City Council had passed, those are my updates right now.

**Speaker:** Great. Go ahead or it would be okay if I added mayor.

**Speaker:** Yeah, you bet.

**Speaker:** I can just speak to the steering committee. Sure, please. Really disappointed. No. August meetings. The mayor's team made a number of requests to the county to get this going, and just disappointed in the work ethic from the county that we couldn't meet in August. They know these are real benchmarks for the city, for this council. And, you know, it's emblematic of a broader trend here. I know they got a million things on their plate. I know they're busy, but disappointed that the steering committee has not didn't meet in August, despite repeated efforts from the mayor's team to get something on the books.

**Speaker:** Commissioner Gonzalez. Thank you for that, that report from the ground. So just so I'm oriented, we're going to check in on the implementation on October 15th. We have maybe about a dozen benchmarks we're trying to hit. Can you remind me a little bit about what those benchmarks are? Yes.

**Speaker:** Does anyone remember? It doesn't have to be precise.

**Speaker:** Dig back into my memory. So I think one is obviously a tent and tarp policy that was going to be discussed. That will be one of the items for that I've seen in the draft. Kind of agendas for the steering and oversight committee to look at before that October 15th review, one was a harm reduction policy. One was vouchers for safe rest villages and test sites and housing kind of assistance, rental assistance dollars. And what was going on in terms of that, I think an update on shelter addition and capacity for units, that's shelter strategy. That was brought in, do you remember mike, I think I think the technology around getting real time data, data and the dashboard or. Yes. So the I will say thank you. The app, the shelter availability app is actually being piloted currently. So that just started. They're actually working. The county is working with our street services coordination center team and our shelter bed set aside program. So that's the congregate shelter beds that we have access to, to start that process. And then build from there, kind of work out the kinks and see how that's working. So they're working with kim james, our shelter director, and our outreach director and her team right now. The public facing dashboards, I believe they're working on getting that, especially the budget dashboard. So I haven't heard an update specifically on that as of late, but I'm happy to look into that as well.

**Speaker:** Great. Thank you. And commissioner Gonzalez, I might ask you a question. So are you on you're on this committee, is that correct?

**Speaker:** Yes, on the steering on the steering committee.

**Speaker:** How were okay, so we have these benchmarks that we have a month and ten days to, to reach. From your perspective, how are we doing in terms of getting there?

**Speaker:** There's been a fair amount of conversation at the staff level, and appreciative of that, the fact that the steering committee hasn't met once is again, disappointing, so you don't have any meaningful engagement at the elected level, I've got to I've met with the mayor of Gresham, who we anticipate will be, the east county representative, and there's substantial alignment between the city of Portland and the city of Gresham, conceptually, so, again, I'm disappointed in the work ethic here, and that's one way city is ready to meet. And so, but there has been dialog at the staff level. And if you were to, you know, I think it's too early to really judge how we're progressing until until we have a real update at the steering committee.

**Speaker:** Okay. Great. Thank you. I appreciate that.

**Speaker:** I have no more questions and I'll just give I forgot to mention. So we're meeting those three times in the next couple of weeks. And I'm happy to provide any office with kind of an update after any of those meetings. We are also meeting with the staff, all the staff that's going to be staffing our commissioners city and county tomorrow. So we'll get kind of further updates as well. And I'm happy to update any office on that.

**Speaker:** Thank you. Skyler. Yeah just a quick question about recruitment.

**Speaker:** So you said a taxpayer who's not a Portland resident, I believe that's the qualification.

**Speaker:** I can double check.

**Speaker:** And then a behavioral health specialist who's not paid by the county, I think.

**Speaker:** Yeah. Is not a contractor, I think is the language that we have. But I can I can double check that, keep that objectivity.

**Speaker:** Yes, yes. For some reason I thought the first one was an shs taxpayer who had a lived experience with behavioral health.

**Speaker:** I think that was mentioned, but I don't think that was written into the ordinance. So I can I can double check that as well.

**Speaker:** All right. I'll make some phone calls today and get you some applicants.

**Speaker:** Thank you I appreciate it.

**Speaker:** Yes, yes.

**Speaker:** So if you know of anybody please send them towards that application.

**Speaker:** And skyler, could you just reiterate when is the first meeting?

**Speaker:** Monday. So there's actually a yes. So there's an implementation. Sorry. And I'm going to forget my times, but there's an implementation subcommittee meeting. Mid-afternoon on Monday in the morning. Okay. And then steering committee in the afternoon in the afternoon.

**Speaker:** And mike and I will be the formula going forward.

**Speaker:** The subcommittee will meet prior to the committee.

**Speaker:** So the subcommittee actually meets the first Monday of every month for the implementation committee. It just just coincidentally for this first one, okay.

**Speaker:** Because of labor day, I just want to be clear, I share commissioner Gonzalez urgency to this, obviously. Yes, yes.

**Speaker:** All right. Great. Any public testimony? No one entertain a motion.

**Speaker:** So moved commissioner Mapps moves second, second, second from commissioner gonzales to accept the report.

**Speaker:** Any further business, please call the roll.

**Speaker:** Gonzales I maps.



**Speaker:** I want to thank, mr. Andrews for agreeing to serve on this important committee. I think from the conversations that we've had over the last 10 or 15 minutes, we get a sense of the stakes here, I also know miss peter to be an exceptionally, competent guy. Who cares deeply about our community, our city, I'm sure he's going to make this committee better, which is why I vote I yea. Rubio I Ryan.

**Speaker:** Yeah, I want to say a couple things. Thank you, peter andrews, for your service. As with all effective oversight committees, we need balance. That's good governance. We pushed hard for these appointments. I did also push hard for them to be voting members. But even though you are a non-voting member, please show up like you have a vote. We really need your voice, anyway, I accept the report. Thanks Wheeler,

**Speaker:** Obviously, I support this appointment. I vote I the report's accepted, and it looks like peter may have joined us if he has, I'd like to give him just a moment to express his thoughts. Peter, can you can you are you there? You are. Unmute

**Speaker:** Yes. I'm here. Thank you, commissioners and mayor. I appreciate the opportunity. I'm honored to be considered for the position, and I look forward to being a part of the solutions going forward. So thank you all. Yeah, good.

**Speaker:** We're glad to hear that because we just voted you on to the committee.

**Speaker:** Yeah. Can you say. Yeah. Go ahead. Sorry I'm late.

**Speaker:** It's okay. It's great to see you, peter. I just want to acknowledge how many times I've been in great conversations with you and you ask really hard questions, and I expect you to do the same when you're on this committee. Don't be shy.

**Speaker:** I promise not to be shy.

**Speaker:** Thank you.

**Speaker:** All right. Thank you. The report is accepted. Next item please. 771, which is a resolution authorizing the city attorney to appeal the judgment in Kelly Jones as personal representative for the estate of Michael Townsend v City of Portland. Colleagues, the city attorney's office is recommending authorization to appeal a judgment in Kelly Jones as personal representative of the estate of Michael Townsend versus the City of Portland. Senior deputy city attorney's Naomi Sheffield and Dennis Venier are here to explain the recommended appeal, and it looks like we have nine.

**Speaker:** Welcome. All right. Good morning, Mayor and Commissioners.

**Speaker:** Naomi Sheffield, deputy city attorney. And actually online virtually is Denny as well. So he's here to answer questions. This resolution would authorize the city attorney's office to appeal the judgment in this case. This case is a wrongful death case relating to an officer involved shooting from 2021. The appeal would focus specifically on certain legal decisions made by the judge. In this case. Specifically, it will focus on the judge's interpretation of ORS 161 242, which is the Oregon statute that delineates the justification for lethal force by police officer. ORS 161 242 is a new statute that was passed in 2020. It has not been interpreted by the Oregon courts. The appeal here, the city attorney's office believes the appeal is valuable both in addressing potential civil liability going forward for the city. But more significantly, it's important to have a clear interpretation of ORS 161 242 so that PPB members can have clear guidance on the contours of this new law, as was indicated in the fiscal impact statement. There are potential costs associated with the appeal. Specifically, interest will accrue on the judgment, which was just over \$1 million. Interest accrues at a statutory rate of 9%, which is just over \$90,000 per year. And this interest accrual is intended to protect the plaintiffs judgment. If the

appeal is not successful. Both denny and I are here and happy to answer any questions that the commissioners or the mayor have.

**Speaker:** Colleagues. Any questions? Thank you. Public testimony.

**Speaker:** We have nine people signed up. Very good. First up, we have michael fuller.

**Speaker:** Welcome, sir. Thanks for being here.

**Speaker:** Thanks. I appreciate your time. And there's more important people to me than me to hear from that microphone's important to you, too.

**Speaker:** Thank you.

**Speaker:** I appreciate for being here. We appreciate it.

**Speaker:** I was the lawyer that presented this case to the jury. And I would just say this. There is a mrs. Townsend, linda townsend, the mother of michael townsend. She's been through maybe the worst pain imaginable. Don't put her through two, three, 4 or 5 more years of having to deal with this. Let her put this issue to rest. Thank you, thank you.

**Speaker:** Next up, we have denise chapman. Welcome. Sorry

**Speaker:** Okay. You're going to have to just tell me how the voice is. I've never been to a City Council, and I'm pretending this is just parks and rec and you're all leslie knope, and that's okay.

**Speaker:** Closer to the truth than you know,

**Speaker:** My name is denise chapman, and I was a juror on this case, and I just want to thank you for allowing me some time to speak today, I'm here because I just want it to be known to all of you and anybody else. I guess it's public that, we, as the jurors, we did our job, and we understood what was presented to us as evidence. And we understood everybody's testimony, we knew what our instructions were. We listened to judge marshall, we listened to all the attorneys.

We listened to every expert witness, and we listened to every eyewitness. We took pages and pages of notes, every day. I myself, I took 12 pages of notes. I and we couldn't take our notes home, is that my timer? Okay. All right. Okay. I'm a verbal processor. I'll go fast. We were meticulous, and, so I just feel really compelled that you understand how much thought and I think I came across the article in opb, where, the district attorney basically implied we didn't understand what we were doing, but so we were very, very mindful of, of unconscious biases, of bringing our own life experiences and perspectives to the table we used during our deliberation. We had whiteboards, we had calculators, and we really practiced a whole lot of critical thinking, our jury was made up of ten men and two women. We were it folks. We were educators, engineers, office workers, interior designers, electricians, and business owners. We had years of professional experience. We were thoughtful, reasonably intelligent, and very respectful of one another. And we were so earnest in our discussions when it came time for us to deliberate, we were given 25 pages of jury instructions right here, and we adhered to these instructions. Word for word. And as a matter of fact, when we got into our room, there was only like 1 or 2 copies of these jury instructions for the whole group to share, which was not going to work. So we made the clerk. We asked the clerk to please make a copy for every single one of us, and they were not paginated. So we all took the time to write our, you know, write the pages on so that we could refer to them quickly. As we began our discussions. And that's important because we were also given a verdict form. And this was three pages and there were six questions on it. And for us to answer these six questions, we needed to refer to our instructions. In particular, we lines eight through 17 on page eight and lines one through 14 on page 22. Very much informed how to answer the questions on this verdict form. And I just wanted you to know a little bit about who the jurors were in this,

**Speaker:** I have to ask you to, to be very concise here.

**Speaker:** Over time. I know it goes fast, but thank you. We'll give you a little more time here.

**Speaker:** Go ahead. Okay no, it's I that's that's it. I just, you know, I was the only mother on the jury, but we it had nothing to do with other than we did what we were told to do. And we did exactly what we were told to do. So I don't understand why what the question is. We listened. Officer brown was the cover officer. He never should have been within 15 or 20ft. We listened to all the expert witnesses. We learned what cover officers were. We learned what, you know, the contact officer was we listened to I mean, officer brown's own testimony. I have pages, I have quotes, I have ever.

**Speaker:** We can't re adjudicate it here.

**Speaker:** I don't know, I just you point.

**Speaker:** Anyways, having served on jury duty, I want to thank you. Yeah, it is taxing and the pay is not very good. Yeah. Thank. Thank you. Your service. Okay.

**Speaker:** Next up we have tom hastings. Welcome, tom.

**Speaker:** Thank you for being here.

**Speaker:** Thanks for the chance to talk about this case. I was one of the expert witnesses I've been doing de-escalation work for more than 40 years in various capacities. I've been teaching at psu. That's one of the things that I teach there. And I've been doing that for 24 years. And the other expert witness that impressed me so much was, had 30 years experience as a police officer, the last ten of which he spent reviewing disciplinary cases. Similar to the one that we were working on. And I really agree with attorney fuller that that really, I hope you don't approve this going forward. The jury, as you heard, did their due diligence in every respect. I sat through the entire voir dire process. And I can tell you that juror after potential

juror, they were worried about awards. They don't like that litigious atmosphere that that has been produced. But the case was so compelling that they awarded the estate of this guy who was killed more than the attorneys asked for. This thing should not go forward any further. It should just be concluded, there is. There are peer reviewed journal articles that talk about what this means statistically in terms of deterrence for police. And I say this just because I'm a homeowner. I'm proud to pay my property taxes in Portland. I live over in north Portland and I'm happy to have some of my tax money go to underwrite comp, compensation for people who have been wronged by the city in any way. I watched from multiple angles the video of this man being killed many times in preparation for my testimony in court, and it was painful enough for me watching this as somebody who did not know him, but all the jurors saw it. And I think we know the family members saw it too. So this thing is at a logical conclusion point, I don't say any of this, because I have any kind of adversarial relationship with the Portland police, the Portland peace team. We've been doing this for many years. We actually have a very good relationship with the police bureau. This particular case just stung, and I hope you do the right thing. Thanks. Thank you.

**Speaker:** Can I ask one quick commissioner Gonzalez? Thank you for your testimony. I just want to clarify one piece. You alluded to a deterrent for police and why this was an important case. You know, you have a police officer responding to someone coming at them with a screwdriver. What? What deterrent of Portland police are you alluding to in this case?

**Speaker:** So I watched this and as I said, that's my expertise is de-escalation.

**Speaker:** I fully understand I'm just trying to I'm hanging on the word deterrence for police. What what you mean here?

**Speaker:** Oh. I'm sorry. Any awards, actually act as a deterrent, even though, as we all know, the that award does not come out of the Portland police budget, but that's what this, his name is kip viscusi, and he did a number of journal articles, including one that just looked at cases like this. And the awards for example, to estates, do actually have a deterrent effect. So this is something that, to me in that respect, should go forth as well.

**Speaker:** You know, I that might be an assumption that I'd want to test a little bit when you're having a police officers have to make split second decisions in this situation. I but I understand.

**Speaker:** Yeah. I mean if you watch the video, you watched it repeatedly and I'm very familiar with he did not have to make a split second decision. He put himself directly in. He made a number of mistakes.

**Speaker:** He may have made mistakes, but I think he tried to leave the scene a couple of times. I mean, it was it was a it was a tough situation.

**Speaker:** He took he took over that scene. He should not have the jury saw everything and they came to the right decision in my view.

**Speaker:** Okay. Thank you. Thank you, thank you.

**Speaker:** Next up we have rachel stevens online.

**Speaker:** Welcome, rachel.

**Speaker:** Aloha. I'm rachel. Stephen, I'm the sister of michael townsend. My brother was killed three years ago. And it's just been absolutely devastating, I've pretty much lost my family at this point, my dad has declined with dementia diagnosis and is now in a locked memory home facility. My mom is just devastated. My son and I are just heartbroken and this has taken three years, I'm actually at a high school right now. I work as a behavioral health specialist. I work with children with disabilities, and, I work with children over the age of 18 that required de-

escalation. De-escalation is a huge part of life. And we have gone through the last three years, three months after the shooting of my brother. And I'm asking you to please, please vote no. We've had three judges take a look at this one. Being a senior judge, we've had a panel of jurors that are peers, only one being a mother, which is the first time I've heard of this, which is astronomical, me thinking that it was so many parents that were reaching out and touched so many of these people have had to look at the videos over and over again, just as I have and my family has. It's been all over the news. I'm begging you today, please do the right thing and vote no. I don't know if I can go through this again. I don't I don't think my parents could testify again. My mom and. I feel like I'm just going to lose everything. And I've already lost michael. Most precious gift that god could ever have given me. And I know that today we can't bring him back. I'm just asking. Please do the right thing. Please know we've been through so much. I appreciate you for taking the time to hear me.

**Speaker:** Thank you. Rachel.

**Speaker:** Next up we have dan handelman, Portland copwatch.

**Speaker:** Welcome, dan,

**Speaker:** Good morning, mayor and commissioners, it's dan handelman. I use he him pronouns and I'm with the group Portland copwatch, this is hard to do after hearing from the family, and it's very rare that you hear from people on the jury or expert witnesses from a, from a hearing. So I hope you'll keep that in mind, Portland copwatch was founded in 1992, and for over 30 years we've been working towards a police bureau that is free of brutality, corruption and racism. You're being asked today by the city attorney for approval to appeal the \$1.3 million judgment awarded by the jury to michael townsend's family. This is a shame, because a jury of Oregonians who were selected mutually by the plaintiffs and by



the city defendant, agreed that the officer was 66% responsible for Mr. Townsend's death. Letting the jury's ruling stand will finally allow Mr. Townsend's loved ones to have some peace, as you've heard. But as we say, each time we testify to counsel about money paid out for more officer misconduct, the city must also look at the underlying policy issues not in the way proposed by the city attorney, which is to interpret the state law in a way which means officers can kill people with impunity, but with a true conviction of making sure never again will someone in mental health crisis call 911 asking for help and have their life taken from them by the Portland police bureau. It's been 12 years since the US DOJ issued the results of their investigation into PPB's unconstitutional pattern and practice of excessive use of force in their interactions with people with actual or perceived mental illness. This was the investigation that led to the settlement agreement. PPB has implemented many changes in the last 12 years. Some work and some don't. They enhance crisis intervention team began in 2013 from the settlement agreement. According to a 2018 CIT training report, their training was developed with two results in mind. First, to have police and community member interactions that result in the safest possible outcome for the police and community members. Specifically, community members experienced behavioral health crisis and to be a partner with the mental health system in public safety issues related to behavioral health crises. Mr. Townsend was in crisis. He called 911 himself. He was likely a candidate to receive the services of CIT trained individuals, but he did not. Instead, the May 3rd Oregonian says the city attorneys argued there was no evidence that the enhanced crisis intervention team members would have handled the case differently, and that Brown had no time during the attack to grab a taser or other less lethal weapon. If the city attorney's office feels that asset training is not helpful in the exact situations they're designed for, what is the point of the Portland police bureau

providing this training? It's a tragedy that Mr. Townsend could still be alive today, had the police bureau sent its asset officers and social workers to respond. Moreover, it needs to be emphasized that the jury's verdict does not result in discipline for Officer Brown and another element of justice that must be addressed through other channels. It appears the city attorney feels this is appropriate to appeal the judgment. However, the attorney needs your approval. An appeal in this case will only further erode trust between the public and the police bureau. Other than protecting the corporate interests of the municipality of Portland and the Portland police bureau and the Portland police association's desire to continue to act with impunity, we see no positive outcome of this appeal. The city is made up of its people, and the council needs to act with humanity. Thank you.

**Speaker:** Thank you, Dan Kelly Jones welcome.

**Speaker:** Thank you.

**Speaker:** Good afternoon. Mayor. Other commissioners. So I'm the Kelly Jones of the Kelly Jones. First City of Portland. In this case, that means I'm the personal representative of the estate of Michael Townsend. And representing the beneficiaries. His mother and father in the case. And I'm here, as others have said, to strongly urge the commission not to vote to appeal this case, I agreed to act as personal representative and taking no compensation, will receive no remuneration because of the public importance of this case, a little background info and I'll be quick that I think might not have made it to you all to review in this proposal, the estate has agreed to waive all entitlement to any attorney's fees, if the city does not appeal the case, Miss Townsend, Michael Townsend's mother, has expressed her wishes that the majority of the proceeds, at least that go to her through this verdict, if it's not appealed, will go to local Portland mental health nonprofits, unfortunately, if the case is appealed, I the estate will have to and has already retained counsel

appellate counsel that is going to eat up. If this case gets appealed. A lot of the verdict which if the city is going to have to pay the verdict anyway and loses the appeal, which in my personal opinion, is probably likely, then that money is going to be eaten up instead of going to local mental health nonprofits or the beneficiaries. It's going to be eaten up by attorney's fees for appellate counsel. And that's just the sad reality of it. So again, i, I strongly urge the commission to vote no on the appeal. Thank you for your time.

**Speaker:** Thank you,

**Speaker:** Brian conley. Brian, you're muted. Brian, are you able to unmute.

**Speaker:** Hello. Can you hear me now. There you are.

**Speaker:** Hey brian good to see you again.

**Speaker:** Great. Thank you I'm brian conley, City Council candidate in district three.

**Speaker:** I come to you today begging that you make the right decision. Michael townsend called 911 because he was in mental distress and asking for help. The 911 dispatcher should have requested the behavioral health unit or enhanced crisis intervention team to respond. Yet the officers who responded were not equipped to deal with someone in mental distress, resulting in tragedy. These officers followed their training, and the result is that a Portlander was killed. Mr. Townsend did everything right. He asked for help at the worst moment in his life, and as a result, he ended up dead. I have no doubt that officer brown regrets what happened. And yet regret doesn't change the fact that one of our most marginalized citizens ended up dead. If the same thing happened today, there's currently no evidence this incident would have been resolved differently. According to doctor jonathan betts brown, who analyzed ppb case reports from 2017 to 2021 for the mental health alliance. He found no evidence that ppb is less likely to use force today. In fact, his research found a slight increase in the use of force against

Portlanders who are mentally impaired. Aside from mayor Wheeler, all of you are running for office in November. Today, I'm asking you to take a principled stand and acknowledge that what happened on June 21st, 2021, was a tragedy. Did Michael Townsend deserve to die? Was the response appropriate? When a Portlander does what we ask calls 911 asking for help? Is it right that he ends up dead? I don't believe that was just. And if you agree, please vote no on this appeal. The city has spent more than \$6.7 million resolving claims against the Portland police bureau since 2020, including more than 3 million settling wrongful death claims. The best thing you can do for the family and to show the people of Portland you believe in accountability is to take this loss and close this dark chapter in Portland history. Please do not further traumatize the family, nor the officer who has to live with what he did. Show Portlanders suffering mental distress that you agree a mental health disorder should not be a death sentence. Do not appeal this verdict. Accept that the city lost and in the interest of justice. Vote no. Please vote no. The whole city is watching. Thank you, thank you.

**Speaker:** Nate Haberman.

**Speaker:** Welcome, Nate. Thank you for being here.

**Speaker:** Good morning. Good morning. My name is Nate Haberman. I was one of the attorneys at this case, I'm also here as a proud Portlander. I, I live in the downtown, in 2020, Portlanders showed up in mass to say that avoidable police violence must come to an end. That's not a controversial opinion in this town. This case is part of that message, in 2020, state legislators passed police reform package. And that included the law, that Miss Sheffield mentioned, it says that police officers need to consider alternatives to lethal force before they shoot somebody. That's the law that the city would be appealing in this case. A man called 911 and asked for help. He told 911 that he had a screwdriver and that he was

feeling suicidal. After arriving on scene, police officers spent eight minutes interacting with mr. Townsend. Over those eight minutes, they did not look for the screwdriver. They did not prepare the less lethal options and they didn't call for any available resources like exit. They did not give themselves the space that would have allowed themselves the time to use other options, rather than shooting him. They did this despite noticing numerous pre-assault indicators in the minutes before that told them things might go really bad. Direction really quick. This case is about safety. This case makes the public more safe. This case also makes police officers safe. It tells them that they need to be careful to not put their lives in danger. The city never offered the townsend family more than a nuisance offer in this case, and had a reasonable offer been made. The trial and those costs could have been avoided. The taxpayers of Portland should not be the ones to fund a spearhead against important civil rights reform that Portlanders fought so hard for in 2020. Let me state this in no uncertain terms, though the state is ready for this appeal. We'll go to salem. We'll do what we have to do to make sure that we protect this verdict. Please vote no on this item.

**Speaker:** Thank you. Thank you.

**Speaker:** Cleric heather van wild.

**Speaker:** Am I coming through?

**Speaker:** You are coming through loud and clear. Thank you.

**Speaker:** Good morning. Council members. When people don't like what we're doing, they show up in droves. Mayor Wheeler just said that 45 minutes ago. My name is heather van wild. I'm an ordained cleric, an independent legal journalist, a mandated reporter, a disabled person and a victim of police violence in Portland, Oregon. It's one of those last two positions that I feel a need to speak to you today. It is saddening that I have no faith in our system, that any of you will change your

votes from what you've already made up in your minds before now. And as I drafted the statement last night that you're just waiting for me to shut up so you can move on, I hope you prove me wrong in 2012, Portland police was sued by the DOJ for a pattern or practice of unconstitutional use of force by PPB against individuals with actual or perceived mental health illness. Nearly a decade later, in 2021, Mr. Townsend, another person with actual mental health and illness, was killed by a police officer. The tools were in place as part of the consent decree to provide appropriate services to assist Mr. Townsend, when he called 911, with several agencies able to respond without the need for a cop, the city under Mayor Wheeler and then Chief Lavelle failed. Mr. Townsend, like they have failed numerous other people in mental health crises. As a legal journalist, I reviewed the court filings in this case and what I found sickened me. I found allegations that the city only made a token offer in the legal profession, called a nuisance offer to settle the case, seeming to not care about the needless loss of life on Portland streets. They went on to rebuff requests from the judge in the case to attempt to help mediate a resolution in the case before it went to trial, and as a result, a jury found in favor of Mr. Townsend's estate. The city attorneys now want a second bite at the apple. They want to argue the jury wasn't given good enough instructions on how much force a cop is allowed to use on someone with a mental health crisis, a cop that would never have been there if the city was doing their job in the first place. The city of Portland should not be in the position of being arbiters of life and death. But some of you seem to enjoy that idea. And when a city employee wrongly kills someone, that person's family deserves to be compensated. Mr. Townsend's loss will never be made whole. Can never be made whole. But you can do the bare minimum to let this go and acknowledge the city failed in its duty. Again, I question that you're willing to do that, but I hope that you prove me wrong. I say this

because Portland residents overwhelmingly voted in favor of a citizen led police accountability system, one that the City Council has been desperately trying to trim down and make useless before it even gets started. Judge Simon has delayed implementation of the new system until after the new charter takes effect next year, in line with allowing a new system of government that the citizens of Portland have loudly acclaimed that they want to allow representation for all Portlanders. Last week, commissioner Gonzalez claimed that delay of two months to allow the voters a say in who appoints the new oversight board was judicial overreach. After claiming the testimony from a Portland resident was platforming a police abolitionist as a Portland resident, all I could take from that was the idea that the members of the City Council are afraid of accountability for police. This is your chance to prove me wrong. This is a chance for you to say we care about all Portlanders, and this is how we start to show it. Thank you for your time, and I urge you to vote against this request for an appeal.

**Speaker:** Thank you.

**Speaker:** That completes testimony.

**Speaker:** All right, further discussion on this item. Call the roll.

**Speaker:** Gonzalez.

**Speaker:** You know, I found much of the testimony compelling today,

**Speaker:** This is a heartbreaking story. And it's heartbreaking on a number of fronts. We have a region, a state, a community that has failed on behavioral health. It's failed in 2020. It's failed for two generations. And we repeatedly put our first responders in a situation where they are the front end in that interaction way, too often, there's no doubt that this is a tragedy, it's heartbreaking to hear from family members. I appreciate the testimony of the jurors, even appreciated the testimony of the attorneys in this case. And Mr. Townsend deserves his day in court and his

family needs peace. I truly appreciate that as a community, though, we also are fighting tooth and nail to retain police officers. We're trying to get to a thousand for a city. Our size, and this officer had to make a split second decision. I Monday morning quarterbacking is always tough. I'm not sure he did everything right, but at the end of the day, we're navigating a complex legal environment. This new statute put on the books in 2020. It's not black and white. How we're supposed to operationalize this statute, and not last but not least, I think it's important to note two other dimensions of this. This police officer is not only protecting himself. He was protecting Portland fire responders that were there on the scene that also people who don't really care for. Portland police mischaracterized at the moment what the dispatch was. And we had a mini demonstration, almost riot, while police officers were trying to investigate at that location because they falsely described it as the shooting victim is black. That turned out the police officer was black. And so, it's a tough issue. I'm going to vote to vote I on this, but I say that fully recognizing the pain to the townsend family and a deep appreciation of some of the testimony today, I did hear here you maps.

**Speaker:** I arabia.

**Speaker:** The question before us today is not about the use of deadly force. The question before us today is what should have happened before that deadly force was used. And it's a policy question, and it's one that needs to be answered. But the relevant state statute has never been interpreted by the courts, as we've heard, to date, the bureau has been doing its utmost to follow the state statute accordingly, and they have developed the relevant protocols for our officers accordingly. So our officers have been following their standard operating procedures as outlined correctly, now that the overarching statute is in question, this is why I believe it will be the benefit to our officers and the public that this question be answered. And



only then can we have clarity that informs training, and that gives everyone confidence in in what that is, given where we are today, I believe in a Portland that has a different system in place when people call 911 and make it very clear that they're suicidal. For me, this is about who we want to be as a city. And I believe with the help from the state and the county, because they fund and design our mental health system, that our officers and this individual might have been better supported if a mental health care professional had been engaged from the time of the 911 call, and especially our officers. And that again, is the question before us today. I want a system where 911 dispatchers and officers, when responding to welfare check calls, offer good faith efforts to route mental health calls to teams with specialized training in dealing with mental health crises and who aren't a danger to others. And pieces of that system exist today. But as we're all painfully aware, there's not enough connectivity there, and I believe that with the help of other jurisdictions, we can and should hold ourselves accountable to designing a system that has the right first responder in every role in support of our officers who deserve the support and in support of the public who do as well. So I'm voting no, because I believe the lower court called out the appropriate question. And I hope, given this ordinance, this will likely pass, that the higher court also make it clear what the policy should be. Ryan.

**Speaker:** Thank you for the compelling testimony we heard from people deeply connected to this case. This entire story is a horrible event in our city's history. I think we can all agree that this is a tragic situation. And I hope we are working actively with our first responders to ensure better outcomes. When someone reaches out for help. It's further evidence to me that we must ensure our first responders are actively coordinating and working together at all times. Each unit has a role to play, and we need to be able to leverage and combine strengths to

move into an effective public safety team. Of course, this is only half the conversation because we are lacking a county with a system to provide adequate behavioral health supports and law enforcement is the only entity left at times to deal with community members who are in this crisis. Portland. We must do better. I don't think anyone likes this vote, and I'm on the fence on how I'm voting at this moment. In efforts to improve the system, I vote no. Wheeler

**Speaker:** Well, first of all, I want to respond to some of the testimony. Rachel, I don't know if you're still there. If you are, I feel terribly for you, and I cannot imagine what you and your family are going through. I cannot put myself in your shoes, and I will not attempt to, but I can tell that it weighs heavily on you and your family. And for that, I'm deeply sorry. I also want to acknowledge that the jury did their job. They heard the testimony. They came to their conclusion. They did their job, and we have no basis to say otherwise. So I want to be clear that my commentary that will follow is not an indictment of the jury and the work that they did. I sure, frankly, that this was traumatizing for many of the jurors to have to revisit this over and over and over again, as those of us here on the dais also have to do. But I have two comments, neither of which will be well received, but I'm going to say them anyway. The first is, is that this is an indictment of all of us. We live in a state where we know each and every single person in this room knows we do not have a mental health system, and we've known it for a long time. And there does not appear to be any urgency for us to develop a plan or fund a plan and move ourselves out of 50th place amongst 50 states in terms of access to behavioral health services. That's my first comment, is we have some introspection to do as a state. My second comment is this, this isn't about the jury. This is about the judge's instructions to the jury and the judge's interpretation of a new state law. That law needs to be interpreted. And this is the process whereby that interpretation happens. It is interpreted through

the courts. And as the police commissioner, I will tell you that it is critically necessary that we have clarity on this issue, and it is for that reason I believe the appeal should go forward so that we can all have that clarity in this state as to exactly what does that law mean and how should first responders interpret the intentions of that law. We all need to be playing by the same rules and have clarity about what those rules are. And it is for that reason that I vote aye. And the resolution is adopted. Next item 772 is second reading.

**Speaker:** Authorize expansion of the Portland police bureau. Unmanned aircraft system program for purchases not to exceed \$98,000. Colleagues, this is a second reading.

**Speaker:** We've already heard a presentation and had opportunity for public testimony. Is there any further business on this ordinance? Seeing none, please call the roll.

**Speaker:** Gonzales I maps I Rubio I Ryan Wheeler I the rez.

**Speaker:** The ordinance is adopted next item also is second reading item number 773.

**Speaker:** An ordinance adopt a citywide outgoing grants administration policy.

**Speaker:** Same deal any further business seeing none. Call the roll.

**Speaker:** Gonzales.

**Speaker:** I appreciate commissioner Ryan and his team's efforts on this area to bring some greater accountability and oversight.

**Speaker:** I vote yea maps yea. Rubio I Ryan, I'm going to say a few things.

**Speaker:** I'd like to thank sheila craig and my staff, current city chief of staff tj mchugh and former chief of staff kelly torres. It was a really heavy lift and I've been blabbing about this for about a year, so I appreciate you all hanging in there. And then the way that sheila and her team showed up to actually do the work, connect

with everybody across the city that does. Granting it was a very thorough process. On January 30th, we had a work session, and I had the opportunity to lead that session on the essential, essential housekeeping and accountability measure that for some reason wasn't on the books establishing citywide common standards and guidelines for grant awards. And today we are landing this important legislation. And I want to thank all of you again for your active participation in the numerous discussions we've had. In simple terms, we want to assure our taxpayers that their funds are being managed responsibly. Today, we are taking delayed action to ensure this fundamental housekeeping and essential accountability is in the code. I appreciate the unified council action on a city wide issue, standardizing the way we distribute public funds with transparency and accountability. I vote aye.

**Speaker:** Wheeler.

**Speaker:** Hi. Ordinance is adopted. We're adjourned.

## **Portland City Council Meeting Closed Caption File**

**September 4, 2024 – 2:00 p.m.**

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, motions, and names of speakers are included in the official minutes.

**Speaker:** Everybody welcome this is the Wednesday, September 4th, 2024 afternoon session of the Portland City Council.

**Speaker:** Keelan. Good afternoon. Please call the roll.

**Speaker:** Good afternoon. Gonzales here. Maps here. Rubio here. Ryan here. Wheeler here.

**Speaker:** Now, we'll hear from legal council on the rules of order and decorum. Good afternoon.

**Speaker:** Good afternoon. Welcome to the Portland City Council to testify before council in person or virtually, you must sign in in advance on the council agenda at [Portland gov slash council slash agenda](https://portland.gov/council/agenda). Information on engaging with City Council can be found on the council clerk's webpage. The presiding officer preserves order and decorum for during City Council meetings. The presiding officer determines the length of 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 interrupting others testimony or council deliberations will not be allowed if you cause a disruption, a warning will be given. Further disruption will result in ejection from the meeting. Anyone who fails to leave once ejected and is subject to arrest for trespass. Additionally, council may take a short recess and reconvene virtually.

Your testimony should address the matter being considered when testifying one. State your name for the record. Your address is not necessary to disclose if you are a lobbyist. If you are representing an organization, please identify it. Three for testifiers joining virtually, please unmute yourself once the council clerk calls your name, thank you.

**Speaker:** All right. Thank you. First up is two items 774a resolution and 775, an emergency ordinance.

**Speaker:** 774 authorize a term sheet to serve as a guide for project agreements for the Oregon museum of science and industry. Central city master plan district item 775. Authorize intergovernmental agreement between prosper, Portland and bureau of transportation to construct the new water avenue project in central eastside. In the amount up to \$16,900,000.

**Speaker:** Council. This is a two part item, the first being a resolution to approve a term sheet between the city of Portland, prosper Portland, and the Oregon museum of science and industry outlining the key terms and conditions for partnership to implement the omsi central city master plan and the second item will be an ordinance authorizing an intergovernmental agreement between prosper Portland and the bureau of Portland transportation to construct the new water avenue project in Portland. Central eastside, in the amount of up to \$16.9 million. This has been a long term effort driven by prosper Portland, various city bureaus, and our community partner omsi that began with the creation and coordination for the approval of the museum's central city master plan. And I'm very pleased to see this next phase of the partnership coming to council today that advances the actual implementation of these central city master plan. As such, this is an auspicious occasion. I'm joined by my fellow co-sponsors, commissioner Mapps and

commissioner Rubio, who will each say just a few words and then we'll move right into the presentation. I don't know if there's a particular order. Yeah, go for it. Okay

**Speaker:** Thank you. Mayor, I want to echo my enthusiasm for these items and the thoughtfulness by which this partnership between prosper Portland, the city bureaus and omsi has come together. Planning and developing large sites like omsi is very complex and requires all of us to be at the table. And today you'll hear about significant public benefits coming from this partnership, including affordable housing, new job opportunities and economic growth, and an active waterfront that restores the presence of our indigenous community. You will also hear about some of the significant public investments we are making into this project, such as 10 million in remaining tiff resources from the current district, 6 million from the state that was specifically set aside by the legislature last session. After months of advocacy and coordination by my office and our excellent government relations team here at the city and also parks sdc's and pbot sdc's, which you will hear more about from as well, and even the potential for additional future support through a new tif district or through creative financing like an led. When people say that we need to do more to support housing development in Portland and revitalize our central city, this is a perfect example of us doing more. And as we hear from, we'll hear from the team in a moment. These investments are backed by years and years of partnership and deliberate decision making. They're aligned with our comprehensive plan, and they build upon our prior investments in the Portland streetcar and tilikum bridge. They are rooted in our history, and they look forward to the future. And I look forward to seeing the presentation and hearing from these partners today, because we know that sites like this one, projects that have come together like this one, with all the hard work, all the brilliance, and the teamwork from some of the folks that we'll hear from today. This this is an example of the

future of Portland. So with that, I will turn it over to my colleague, commissioner Mapps.

**Speaker:** Thank you, commissioner Rubio. Well, folks, if you take a look around the room, you can tell that this is a significant day for Portland. And I'll tell you why. The legislation before us today is about more than infrastructure. It's about transforming the OMSI district into a vibrant hub for education, innovation and community life. Now, during my time on this council, our city's public works bureaus have worked hard to ensure that the infrastructure in this district is sturdy enough to form the foundation of Portland's next new neighborhood. Now, the new Water Avenue project is an important step towards that reimagined OMSI district. I want to thank all the staff over at PBOT who have helped get us to this moment, and now, without further ado, I will turn the floor over to our panel to tell us more about these two ordinances.

**Speaker:** All right. Thank you, commissioner Mapps, thank you, mayor. Commissioner Don Oliveras, for the record, I am the deputy city administrator for the community and economic development service area. And like this morning's ordinance regarding the Hollywood Hub, I am thrilled to introduce these items today because much like this morning, the theme of partnership is core to the milestone. Thanks for joining us, Aaron. Thanks, James. I've been a part of the discussions between Prosper Portland, the city bureaus, and OMSI as they develop this term sheet and as they outlined the first phase of the project, the design and construction of new Water Avenue, the City Central City, 2035 plan offers policies, goals and tools that guide our central city's growth, and this includes the OMSI district, which requires a central city master plan for redevelopment. And through this tool, OMSI and its partners established an urban forum that is the foundation for future development both along its waterfront and within the district. It's at



building heights and a range of the size and the infrastructure required to support the mix of uses, ensuring cohesive and coordinated growth. I'd like to really take a moment to acknowledge that although this process started before transition, it really embodies the spirit of what we're looking for with the new form of government. Through prosper's leadership and coordination with the infrastructure bureaus, we were able to come to the table with omsi as a strong partner, as a coordinated partner, and I think it speaks well for our future that this project is off to a strong start. Because of that coordination, leadership. And with that, I'd like to turn it over to kimberly branam prosper, Portland's executive director. Thank you.

**Speaker:** Donnie. Good afternoon. For the record, I'm kimberly branam executive director of prosper Portland and we can go ahead and go to the next slide. So joined by aaron and james, who will introduce themselves when they speak. But what you see here, as donnie mentioned, is representative of the deep partnership across the city and community partners. So as the mayor mentioned, we have two items before you today. The term sheet, which serves as a framework for partnership to implement the central city master plan, and then the iga to effectuate investment in new water avenue. Next slide please, donnie touched on the southeast quadrant plan and the central city 2035. But as you might recall, in 2015, the southeast quadrant plan put forth four big ideas, including the innovation quadrant concept, making sure that there was a density of employment uses a more active waterfront as well as, the idea of having more dense, mixed use corridors that got embedded within the central city 2035, along with the other quadrant plans, and so what we are talking about today really does implement on the city adopted policy. Next slide please. One of the key elements of the central city of central city 2035 was a new concept. Master plans are not a new concept, but the central city master plan, as it's currently articulated in code, is new in that there

are some specific sites across the city, including the amc district, as well as  
broadway corridor and the profit ps profit center, where a central city master plan  
is required. These are large catalytic sites that don't have the full infrastructure that  
are necessary to build out and so it requires a pretty careful outlining between  
infrastructure and vertical development. So the intent is to establish an urban  
design framework, make sure that there are adequate utilities, both, stormwater  
transportation, sewers and then kind of set the glass container in which  
development can occur for the property owners or developers. The value is that  
you can move floor area ratio, you can move the development capacity across from  
property to property. And so that's really valuable rather than having to on a  
transaction by transaction basis, try to get far bonuses. And within amc this actually  
enabled some residential unit development, up to 1200 units that otherwise would  
not be allowed by right, but are allowed because of the master plan. Next slide  
please. Okay. So you see here just a snapshot of those glass containers. What can  
be built. So you'll see that there are heights that are set. There's an orientation but  
it's pretty flexible. So questions around the kinds of things that can be built can  
change over time. But this is what the design commission approved. And as you'll  
see, the amc portion, they could build between 600 and 2.5 million gross square  
feet. So we're talking about quite a bit of development capacity and with, with and  
across the entire amc district. You're talking about between 1.2 and 4 point  
4,000,000ft<sup>2</sup>. Next slide please. So we've been talking about some of the key  
milestones that you see on top of the quadrant plan, the inclusion of not just amc  
properties but the, community college opera and then design commission  
approval. And since that approval of the central city master plan, prosper Portland  
and the city have been working with amc in earnest to negotiate a term sheet,  
which you have before you. And then on the funding side, want to recognize and I

know our partners will speak to this too. But metro has been a really important partner, granting \$750,000 to amc and the city for, to work in partnership with the coalition of indigenous and tribal leaders on the visioning for the waterfront park. We also appreciate the investment from the state of Oregon, which has invested \$11 million in two tranches towards new water avenue, and then, of course, metro's commitment to the waterfront education park. So we are leveraging those investments and the term sheets that we are bringing before you today. Next slide, please. So the good news, and this is not always the case when you come to the table. But the good news was that there were a tremendous amount of aligned values. And priorities as amc and community partners and the city, came to the table to negotiate this development, or the term sheet in front of you, we wanted to see the vision come to life. We wanted to make sure that we were coordinated not just with the amc properties, but with, advancing the center for tribal nations. And that vision and active waterfront, and so there was a lot that, you know, we, we held in common. And then there were some key priorities that were important to amc, such as really making sure that new water avenue was, fully funded and the gap was closed, and then making sure that the development of the parcels created ongoing revenue for these operations on the city side. It was really important to us that there was vertical development that accompanied the infrastructure investment, and we wanted to see multimodal use for new water avenue to improve ped and bike access there. Next slide please. Okay. So, just one of the things that was happening concurrent with the negotiations was the exploration process for new tax increment finance districts. So about \$19 million remains in the central eastside tif district. That's the current tif district and that's dedicated to strategic sites such as omsi and the workshop blocks, as well as to, loans and grants for businesses of all sizes. And so that's where the \$10.9 million included in the iga

comes from. As you're aware, there is a conversation about the potential for a new tax increment finance districts. We're calling that the central eastside corridor tif district. You see that in orange on the slide? And so that's where future tax increment finance resources that are mentioned in the term sheet for things like affordable housing or a district parking solution, or if there were other infrastructure needs, that's where that would come from. So council hasn't yet decided. And so the term sheet doesn't commit council to anything. But that is referenced in the term sheet as a potential source, in the event that council does approve the creation of a new tif district. Next slide please, the priorities advance. Obviously, the comprehensive plan as defined in central city 2035, but they also make real, progress on key priorities like our economic development strategy, advance Portland, which calls for just this kind of catalytic public private partnership. And the investments and the market signals that it sends to be moving forward on key projects within the central city, as well as making sure that we have good access to quality jobs by, supporting density and supply of mixed and mixed income housing near job centers, this also supports the housing production strategy, which was just adopted both by supporting affordable housing as well as mixed income housing, and then advances central city in motion by improving the two way cycle track on new water avenue for the really to make sure that freight continues to be able to move and that you have fewer areas where there might be, areas of conflict. Next slide please. Okay. Before I turn it over to erin, I just want to express, really on behalf of the entire prosper Portland team, our deep appreciation, so huge appreciation to the omsi, and, and coe team to the northwest native chamber and critic. It's been really heartening to be in, just such close partnership for so many years and to see us get to this point. We also want to appreciate the incredibly dedicated city staff who, as we know, have a lot of

priorities but spent their time and talents to make sure that we were able to speak with one voice and come to the table and get to agreements, and then I just have to appreciate the team at prosper Portland. So amy and lisa and paul and david for orchestrating so much of this. I think amy's been on this project and lisa as well, probably for more than almost a decade, and so it's really an exciting moment to be here today, and just we are so grateful for all of the people who you see listed here, who also are here to answer questions because there are a lot of technical things, and we have the subject matter experts in the room. So thank you.

**Speaker:** Thank you. Mayor. Hello commissioners. I'm so happy to be here in front of you. This afternoon. I'm aaron graham, the president and ceo of omsi. And as you know, omsi is a cornerstone institution for our community from the standpoint of education, engagement, bringing diverse communities together to learn together, live together, and ultimately to thrive together. And we are so excited to be here in front of you today at this precipice of really launching this vision for the omsi district, which is to create a new neighborhood for Portland that is rooted in arts, innovation, science and cultural learning. And to use the opportunity of this district to reestablish tribal presence on the willamette river, where it has been fully erased. I want to express my very deep appreciation for the city partnership that has taken to reach this point. I remember really clearly when mayor Wheeler came to our board retreat in 2019 and said, this is a priority for the city, and I know a lot has happened since then, but I appreciate the attention and the vision and the work together to continue to move this forward and realize that we have to have big vision for this, for the future of the city, for the revitalization of the city. And the omsi district can be a really big part of that. The \$15.4 million articulated in the infrastructure investments, as you heard in the term sheet, are critical. They will go into new water avenue and into utilities in the district that will help us transform

surface parking lots and brownfields into park areas, mixed use development and housing. And we could not have done it without or be at this point without the public private partnership. And these types of investments. Amc has self-funded most of the planning work that has gotten us to this point. We are grateful for the state's generosity and for the advocacy of commissioners in helping to direct state funds toward infrastructure. And now, to reach this point, with the investment of tif funds and sdc's in the future of the project, and we also know that this project is critical, as I mentioned, to restoring tribal presence in the willamette river. And I will let my colleague james speak more to that. And asia dakota with cryptic is here as well with us this afternoon. This project has the great opportunity to also create a tremendous number of jobs during construction and in full operation for the omsi district. In addition to tax revenue for the city of Portland. And ultimately, with our projections, it will generate more than \$1 billion in private investment over the next 10 to 20 years in Portland. It is important because it helps to guarantee the growth and sustainability of our city, and really important because it also helps to sustain omsi and the critical mission based work that we do throughout Portland and the state, and the financial, sustainability and economic prosperity of our partners. So I really encourage you to vote yes today on the term sheet. And thank you so much for your support in helping us reach this point.

**Speaker:** So everybody okay?

**Speaker:** Can you hear me? Excellent. I did this last time, good afternoon, mayor Wheeler. Commissioners. My name is james allen parker, enrolled citizen for the chippewa cree tribal nation, and I serve as the executive director for the northwest native chamber, who act as the stewards for the community vision for the center for tribal nation. The center for tribal nations is the first of its kind, native led, urban development that establishes a native presence on the willamette river while

creating space for a new era of indigenous expressions of excellence. For thousands of years, native people came together in this place, forging intertribal bonds and building community through trade and cultural gatherings. The center for tribal nations reclaims that crucial connection to the river, celebrating the native cultures and values that have endured through centuries of colonization and displacement. Here, where ancestors once gathered for commerce, a new native economy will emerge, seated with tribal investment and ownership and supporting native entrepreneurs and businesses where where days long events and ceremonies once brought tribal communities together. Native artists, musicians, craftspeople and educators will have a place to showcase and share native culture and. Traditions. Where native children once played together along the riverbanks, a new generation of young people will find a cultural home that builds a sense of belonging and creates exciting possibilities for the future. The center for tribal nations is uncompromising in its vision, centered on the key framework of being a model for native led, community centered, urban development, growing a self-sustaining economy for long term prosperity, and indigenous by design, with environmental responsibility. Built in, amc has worked alongside tribal governments, native and indigenous communities to create a vision for a center for tribal nations and a new water waterfront education park within the amc district. Through these projects, the amc district will partner to restore tribal presence along the shores of the willamette and Portland center city, offering a unique opportunity to honor and celebrate indigenous culture and build shared prosperity for generations to come. We urge Portland City Council to approve the necessary infrastructure funding to ensure this vision is realized, together in 2020, indigenous organizations amc and the city of Portland received equitable equitable development grant as part of metro's 2040 planning. And it's at that time was

working with the affiliated tribes of northwest indians, to and they led extensive tribal outreach back in January of 2021. This led to the resolution of support, representing nearly 50 tribes in the northwest. The center for tribal nations advisory committee, made up of tribal leaders, community stakeholders, then led a process to consider the optimal combination of program uses and activities as well as the value and principles that should guide future efforts to bring this vision to life. The district's development will create significant economic opportunities for indigenous businesses and tribally owned entities, enabling us to create intergenerational prosperity. Your support will enable this inclusive, community focused project to move forward. The 15.4 million investment described in the term sheet. Term sheet is critical to laying the foundation for the center for tribal nations. This funding will unlock vertical development, ensure the district becomes a platform for cultural and economic exchange. Finally, the amc district represents a shared vision with strong support from tribal communities, amc and the other partners. Your investment will bring this collaborative, collaborative, culturally significant project to life. The northwest native chamber has done an incredible amount of work to get to this point. Nearly three years of continued engagement with the advisory committee to continue to inspire and inform the vision for the center for tribal nations. We have selected indigenous led architectural team to bring the vision to life and continue to secure funding from key partners including meyer meyer memorial trust and others in philanthropy, metro Multnomah County and other government partners. The center for tribal nations advisory committee created a vision for the ctn dreamt into existence for decades. The center for tribal nations celebrates and catalyzes the power of indigenous peoples, cultures, and presence on the river. Finally, the center for tribal nations will stand strong on the shores of the willamette river in the central eastside, just across from downtown



Portland, continuing to build Portland as an international model for intentional development and as a shining beacon not just for this country, but for the world.

Thank you.

**Speaker:** Thank you. So we have a few more slides we're going to get into some. Amy's going to get into some details. So if you can go forward just a few slides. Here you can you can keep moving forward. But these are some of the beautiful images of the waterfront education park and the center for tribal nations that James was discussing. To be on,

**Speaker:** Okay. Oh, yeah, I hear me. Okay good afternoon, Mayor and Commissioners. My name is Amy Naka. I'm a development manager with Prosper Portland. I've also been a project manager working with OMSI for not a full decade, 2018, so I wanted just to take a few minutes to orient you all both to the plan itself, as well as the partnership areas that informed the kind of bounds of the term sheet that we have in front of you today. So what you're looking at is, despite from the images, is, is a table that highlights the categories of the partnership. The next row down are the city partners that are involved in each one of those areas. As we've said, it's a it's a robust effort, and then just below that is OMSI and its partners that anticipate working in these areas. So the top three are the open space and waterfront, as well as the infrastructure. Thinking about the streets and the utilities and the vertical development that we are aiming to see, in. So looking at the kind of the waterfront OMSI really aims to have a waterfront education park. They've got a mile long waterfront. What they want to really re-envision with kind of three different reaches. The first reach is dedicated to the ecological restoration, and it's an opportunity also to test the feasibility of a mitigation bank that the city has been working on for quite some time. As well. So it's another great partnership. The middle reach is dedicated to education and access to the water, bringing those

classroom opportunities outside, and further expanding some of that education. And then the third reach of the southern reach is in urban plaza and it's sits up high on the campus. Beautiful views of the west side. And is where omsi imagines holding its community events, its galas, etc. That will be also accessible to the public. This is a key partner, particularly with bureau of environmental services, who, in partnership with commissioner Mapps office, has been working on the concept of a mitigation bank for some time. It's also includes, potential investment from Portland parks and recreation, who is holding their systems development charges, to invest in some of the public aspects of that waterfront. And then, as aaron has mentioned, is partnering with cryptic, who is going to be issuing an rfp relatively soon on the design for that waterfront education park that's achieving all of those goals and is also influenced by kind of the native vision and objectives for the area. The second aspect is the infrastructure. So there will be three new streets going in. As kimberly had mentioned, new water avenue is a really important one within omsi. If you're looking at the image there in that middle image, all of those colorful shapes represent development paths and the darker lines that are surrounding them represent the streets. And so the line furthest to your to your right, which is closing out kind of that triangle, there is new water avenue that is going to be a public project, but we'll also have a new third party sanitary sewer system in it that will be able to serve the rest of the development as it comes online, as well as new water and electrical utilities. Parking is going to become a really important aspect of this effort. As the campus redevelops those kind of green shapes there, e and f, are where omsi currently has its larger surface parking. Those are really key development sites. And so we're going to need to find another solution in parking. We'll be working together with omsi on a feasibility, looking at certain criteria for a parking solution, not only for omsi, but sort of more broadly

within the central eastside district. And then below you can see kind of the bevy of city partners that will be working on that, in addition, omsi will be working with their third party sanitary provider as well as the railroad, which is right, abuts that side of the road. And trimet. And just to note, also on the new water avenue, something I think that kimberly had noted, this is also advancing central city in motion, which has been bureau of transportation's large effort in diversifying some of our multimodal opportunities within the city. And so you'll see a two way cycle track that will be going on that, and it will be moving some of the slower or the faster cyclists over onto the main road and off of the waterfront to avoid some of that conflict. And then the third kind of area is the vertical development. And this is where over time, over the phasing, which we'll visit in just a moment, is a real opportunity for particularly prosper Portland and the Portland housing bureau to lean in and partner with omsi not only to achieve the goal around affordable housing, which is about 25% of all housing units going into omsi would be affordable. In addition, prosper sees that we see a great opportunity in partnering on the programing and the tenanting of some of that, particularly the commercial space, kind of harkening back to what kimberly was saying, there is a lot of flexibility not only in how big the buildings are, but also what you can do in them. And so there's it gives them an opportunity to respond to the market and whether it's going to be an office building, residential with a ground floor retail, etc, and then key partners obviously will be omsi and ellen and co. And then as we just heard from james, the northwest native chamber on the center for tribal nations. Next slide please. So walking through the term sheet scope, it really does kind of three key things. So the first what it does is it's really just focused on the properties that omsi owns and controls. And so what you're seeing here on the image on the right, anything that has an x on it represents a property that's within the central city

master plan within that district, but is not subject to the term sheet. So the pcc climb center, there's a couple of private property owners in there as well as the Portland opera, while we're aiming for cohesive redevelopment, we're focused on those those parcels of under arms control. It also starts to define, key terms, including project categories. And so we'll i'll walk you through what this kind of table is in just a moment. But then the last part of what the, the actual term sheet does is it really kind of serves to further and engage on the future development phases. As this is envisioned to be a three phased effort, and it also starts to set kind of what are the parameters for future public investment? Okay, so looking at this table we've got the project categories. Phases one, two and three. There's four distinct project categories. So the first is around public infrastructure projects. So these are the projects that would be led by and paid for by the city or other public partners, it doesn't anticipate or is reliably relied upon with vertical development. We have our private infrastructure projects which will be those that are omsi led. So something like the sewer, the waterfront education park, etc. Private development projects will be those that will be led with omsi and its development partners, particularly tract a, which we'll talk about in just a moment. And then the public development projects, which are really the affordable housing projects. So in the first phase, and this is where we're really dedicated and have a lot of detail in the term sheet as well as the city investment is we're aiming for development and construction. As kimberly noted earlier. So coming out of this phase, we anticipate seeing a new water avenue, a determination on the mitigation bank and whether or not it moves forward and if not that that kind of northern reach there that we talked about on the waterfront becomes an obligation for omsi, that we will have a sewer, which is fantastic. We'll have a new waterfront education park that is built out and programed in alignment with the values that we've been talking about,

tract a right now is that kind of first yellow shape that you see at the top of the screen on the right there. We're anticipating 80 affordable units going into there as a partnership between, hacienda cdc as well as ellen and co. And you'll be hearing from diana shortly. And then really importantly, a minimum of 250,000ft<sup>2</sup> of development. And so that is really the vertical that we're hoping that we're wanting to see out of this. First, first phase. And then omsi and Portland housing bureau will continue to kind of discuss about what the framework and the structure of their partnership will be to achieve those affordable housing goals for phase two. And this is all really moving forward. Also, with kind of the phases of the cmp, I can't emphasize that enough. Phase two is really dedicated to feasibility. And so we're looking at the feasibility of district parking and what are some of the criteria and the opportunities around that that would inform a potential public private partnership. And then there's the tracks c, e and f. And so omsi will be and its team will be looking at feasibility of redeveloping one or all of those sites. And then the affordable housing partnership between e and hb will be solidified with an opportunity for the Portland housing bureau to redevelop one of the sites that omsi owns. Strictly for affordable housing and then on phase three, we're back to development instruction and construction. So we're using the feasibility kind of findings from that middle phase there to potentially build out the district parking. Assuming that partnership and financing are put in place, omsi will continue to build out the plazas that are kind of in sprinkled throughout the district loop road. Is that purple line that you see there. And that one is actually it's still it supports omsi and the museums activities moving in exhibitions, etc, as well as supporting the other private properties that are there, hopefully c, e and f will move in terms of going under development and then fb will realize its affordable housing project if it hasn't already. Next slide please. A couple of key agreements coming out of this

term sheet that we just wanted to highlight for you, we've talked about the phasing being in alignment with the with the central city master plan, the phasing is intentional, not only guided by some of the infrastructure, but it's also as part of the partnership that we've structured with omsi in the expectations of some of the performance, particularly around the vertical development that I was talking about. And we've committed to each other that we will not be moving to phase two or to phase three until those projects are realized in that first phase, unless there's a fantastic opportunity that comes up and the parties have agreed that we should be advancing on something like that, the city funding, you'll see here in a moment where the city funding is allocated right now for that first phase, we've also agreed that with omsi that for now they will not pursue other public funds. But for what is in that first term sheet, again, unless there's an opportunity and we're coordinated with each other. But it's really just kind of, again, having an alignment and a coordination mechanism amongst the city and prosper so that we're understanding kind of hopefully what we're investing. And then the waterfront education park. There's timeline in place, particularly for that north reach. I've referred to a couple of times, affordable housing with the goal of achieving the 240 to 300 units that are between 0 to 80% area median income, and achieving that through kind of a combination of tools right through inclusionary housing, state funding, as well as the fb supported units. And some of that will be reliant upon a new tif district as well. And the last note i'll call out is around the general provisions. So for the public, investments are city or prosper or Portland housing bureau policies will apply around green building and workforce development and construction. But omsi has also elected to voluntarily apply these to their private projects as well as those fit. Next slide please. So the funding aspect of this, just kind of a quick overview here on the left in this table are some of the key projects that we've been talking about.

In the middle is the total cost. And then we'll walk through the sources, so for new water avenue it's at just past 30% design. We're expecting a new cost estimate soon, but it's about \$30 million. As we've talked about. There is still a gap in the project. And so we're going to be working diligently with omsi to close that gap. As of right now, both the Portland transportation bureau is dedicating 500,000 in their own transportation development systems development charges. And then, as kimberly noted, prosper Portland is committing \$10.9 million of existing tif from the central east side, the state has allocated another \$11 million, so we'll be working over the next year or so to close that gap. Old water avenue and loop road are anticipated to be about 6 million, but those are right now on sort of the private side of the ledger. If you will, the district parking. As we've talked about, depending on kind of feasibility, we'll look at, is there opportunities for future tif investment if the new districts are approved, as well as other kind of potential city resources? The waterfront education park, it's a it's more of a placeholder, but about \$40 million is what has been sort of initially cost estimate based on some of that very early design work, parks has offered and has is holding a budget reservation of \$4 million of their own sdc's to be invested in some of those public aspects, like the overlooks and some trail improvements, so overall, there's about \$90 million worth of kind of the infrastructure costs, if you will, in this first phase, the city of Portland is dedicating \$15.4 million to that first phase with a kind of a holding on phases two and three, depending on both performance and sort of needs in the future. Next slide please. We're just about done. So just want to kind of spend a moment on the intergovernmental agreement between prosper and pbot. So this is just outlining right. Our roles and responsibilities as prosper Portland being the funder. As well as pbot being sort of the designated performing agency. And they will be doing the handling, the design, the engineering, the construction and the management of

new water avenue, we have a termination date of June 30th, 2030. In order for everything on new water avenue to be constructed and just this last slide here gives you a sense of a very high level project schedule. Next slide please. Of, of looking at closing out that kind of funding and financing strategy by by just a little bit early the next, next year. Design and engineering has been started with anticipation of that being completed in 2026. And then really taking through new water avenue, anticipating completion in mid 2027. So it's our it will be the first project coming out, which we're super excited about. That's what we have for you. We do have a few folks that are invited testimony, which we're really excited to have. I don't know if you prefer to have them come up first and then do questions or if you prefer questions, why don't we have them come up?

**Speaker:** How many folks do you have invited?

**Speaker:** We have five.

**Speaker:** Okay. Very good. Why don't we hear from them first? Okay, we'll do the first round of questions. If there are any at this point. And then we'll go to open public testimony and then have additional questions if necessary. Great. Thank you.

**Speaker:** Okay. So i'll just call them up. All right. So asia dakota caroline john and diana. And then we'll have aliana come up next. Great.

**Speaker:** And while they're organizing, could you just quickly give us some estimate of the phasing of phase two and three, or do you have a sense. Do you have a guesstimate of timing?

**Speaker:** Yes, yes. So I would say phase one we're estimating loose about ten years. I think phase two that will be a shorter because the feasibility you're you're testing kind of more market feasibility. And so that would be a shorter period of time. And then phase three is dependent upon the outcomes of that. Okay is that helpful. So it's a long horizon.



**Speaker:** Like I just died again thank you.

**Speaker:** You'll be there I'm just going to leave it there.

**Speaker:** All right. I'll let you guys go in whatever order you'd like.

**Speaker:** Okay.

**Speaker:** Thank you. Good afternoon, mayor Wheeler and commissioners. My name is Asia Decoteau. I'm a citizen of the Yakama Nation. And I'm also the executive director for the Columbia River Inter-Tribal Fish Commission, also known as Cryptic. As you've heard today, Cryptic has been working alongside OMSI, the City of Portland and Metro to plan a new waterfront education park in the OMSI district. We're very grateful for all the collaboration and support from the city leading up to today, so thank you for being partners with us in this effort. Through work with the Center for Tribal Nations Advisory Committee that James described earlier, this committee of tribal elders, youth and representatives from Portland and the region set forth a vision for the park as a place of healing, to explore and experience the river through a tribal lens of culture and science. The park is envisioned to be a free public green space for all communities. It will be centered in indigenous culture and offer free learning opportunities related to ecological and cultural knowledge. This includes native plants, invasive species, river health and culture, place making opportunities that foster a sense of place for people, such as demonstration of traditional native fishing practices. It will also include viewing platforms, plazas, restored riverfront habitats, hands on outdoor science programming and interpretation that affirms, sustains and shares both traditional ecological and cultural knowledge alongside western science to help foster a deep connection to the river for all visitors, the OMSI district presents the opportunity to transform current parking lots and brownfields into a neighborhood that adds four and a half acres of parks and green spaces to the central eastside. In fulfilling our vision for

the park, our goal is to showcase and advance climate solutions through transportation. Next generation urban systems and technology, while also providing engaging learning experiences for the public. This approach to engaging everyone with the river and understanding the connection between human and planetary health is imperative to protect and restore fish habitat and water quality. The 15.4 million investment in the term sheet supports infrastructure development for the waterfront. Education park, and helps to leverage the \$7 million investment from metro. Cryptic and omsi have partnered on numerous projects for decades, and we are proud to once again join in on this transformative project that will have such a positive effect on the city and the region. Your investment will bring this important project and public park to life, so we encourage and look forward to your continued support. Thank you so much for taking the time today. Thank you. Okay.

**Speaker:** Hi.

**Speaker:** Good afternoon. Good afternoon, mayor Wheeler. Good afternoon, commissioners. My name is diana nunez, and I'm serving as hacienda cdc's chief operating officer, I'm excited to be here. This is an amazing partnership. And it's hacienda's job to help families access the critical ingredients they need to achieve their goals. A stable, affordable home, a healthy family life that allows youth to learn and grow. Opportunities for economic success and access to healthy neighborhoods. The district inclusion of 1200 market rate and affordable housing units with a minimum of 20% being affordable, aligns exactly with hacienda's mission to support low income families. We ask that Portland City Council to approve the 15.4 million infrastructure investment to ensure this critical housing component moves forward. The council's support is essential to building the infrastructure that will make the omsi district a reality. This investment will create a foundation for a vibrant, inclusive community in the central eastside and the

broader Portland city. The district's vision of the mixed use transit oriented neighborhood will provide much needed housing and economic opportunities for diverse communities in Portland. Your support will help bring the vibrant, inclusive vision to life. The omsi district represents a powerful opportunity to combine economic growth with cultural and social empowerment. Hacienda cdc is committed to supporting and partnering in this vision, and we urge the City Council to invest in the future of Portland through this project. Thank you. Thank you.

**Speaker:** Mayor, mayor Wheeler and city commissioners, thank you for the opportunity to be here today.

**Speaker:** My name is John Isaacs and I'm the executive director of public affairs for or the executive vice president of public affairs for the Portland metro chamber. I'm a resident of southeast Portland, and I prefer he him. The chamber is greater Portland's chamber of commerce and represents the largest, most diverse network of businesses in the region, with over 80% of our members are being small businesses. On behalf of our members and partners, I'm here today to express the chamber's strongest possible support for the term sheet between the city of Portland and Prosper Portland and the IGA between Prosper and the Portland Bureau of Transportation. This is another big moment for our city, and once again, another demonstration of this council's recognition that the city must be a genuine partner. If we are to achieve our vision of a thriving Portland for future generations. I want to particularly thank Prosper Portland executive director Kimberly Branam and her team president and CEO Aaron Graham and her team and PBOT director Millicent Williams for getting us to this moment on behalf of the greater Portland business community, I want to express our admiration for the leadership and vision these three exemplary, exemplary leaders embody in their roles. We work with them. And week after week, month, month after month, we see them, their vision

and their leadership in their extremely challenging roles. The value of the partnership we have developed with each of them and their teams cannot be overstated, as you are well aware, the chamber views the omsi district redevelopment as a generationally important project that, along with Broadway corridor, New Albina, Rose Quarter and Lloyd District, positioned Portland central city to not just thrive but demonstrate again that Portland is a global leader in urban livability, sustainable urban development, and shared economic opportunity. Most importantly, this project is proof that prioritizing big, bold projects can and must be done with racial equity as a central tenet and core value. These values are not competing, but equally important and mutually reinforcing. Here's why. This project is so vital to the future of our city's economy. The district is projected to generate \$1 billion in economic output and create more than 11,000 jobs. Those are wow numbers. The council's approval of the 15.4 million infrastructure investment will unlock this potential. Council's approval today will also invest in the infrastructure necessary to catalyze the district's growth. This funding lays the groundwork for new development and track and attract and leverage significant private sector investment. The leveraging of private investment should be a criteria for a public investment of this size. The omsi district, in addition to the huge investment we need in housing, will also offer mixed use development, which will create new opportunities for businesses, particularly in innovation and the innovation and sustainability sectors. Your support will help foster a thriving business environment in Portland's central eastside and finally, the omsi district's integration of sustainable transportation infrastructure aligns with our goals for a responsible, growth oriented business environment. The council's approval of this investment will ensure that Portland continues to lead in sustainable urban development. It's no secret that the chamber has at times been frustrated with what we viewed as a

lethargic approach to the redevelopment in particular, and at times over the past couple of years, we have made a conscious decision to push the public conversation to motivate city bureaus to act with more urgency. We know at times that has forced some uncomfortable conversations, which we have no apologized for apologies for. But today we fully recognize that the city has responded and under the leadership of director branam and williams, prosper and pbot have answered these calls for swifter action and stronger partnership. So it's important to us that I end today by giving full recognition of every member of their teams. Mayor Wheeler and his staff, in particular andrew fitzpatrick, commissioner Rubio and commissioner Mapps, who until recently led prosper and pbot and did much of the work to get us here and every individual that worked so hard to get the critical agreements before you today, thank you very much for your work. The city greatly appreciate it, appreciates it, and needs it. So for those reasons, we urge your approval and thank you for your time and consideration. Thanks, john.

**Speaker:** Good afternoon, mayor Wheeler, and commissioners, I am caroline holcomb, the executive director of central eastside industrial council, also known as cic. The cic is a 40 year old business association focused solely on the district's economic success, vitality and livability. We represent the second largest business district in the Portland metro region, representing 1300 businesses across 681 acres. I am here today to express the cic support for the district. This district is a transformational, transformative project that will drive economic growth in the central eastside, creating more than 11,000 jobs. As you've heard, a wow number and revitalize underused areas, I encourage the Portland City Council to support the term sheet and the \$15.4 million infrastructure investment needed to make this vision a reality. The council's approval of this critical infrastructure funding is essential to aligning water avenue and creating a safer, more connected

neighborhood and business district. The investment will catalyze districts development and enhance the central east side's vitality, livability and success, with the goal of net zero carbon emissions and waste, the omsi district will showcase and advance climate solutions through habitat restoration, sustainable transportation and next generation urban systems and technology. It will transform parking lots and brownfields as you've heard, into neighborhoods that add 4.5 acres of parks and green spaces, and it is projected to reduce co2 emissions by 1.5 metric tons, these things, and the omsi district's focus on sustainable and mixed use development, align with the ccs vision for a more vibrant community for all. Thank you for hearing our testimonies today in support of this project. With you, we can create a neighborhood that benefits the local community and our broader central city. Thank you.

**Speaker:** Good afternoon. Welcome. Hi my name is aliana and I am an omsi kid.

**Speaker:** When I think of omsi, I think of a place that is fun, engaging and hands on. This will be my eighth year of taking science classes at omsi with the partnership of the Oregon homeschool science club. There are so many different interesting experiments and assemblies where it is obvious that the kids are all staring excited. One of my earliest memories was of making spacesuits in the physics lab, capable of keeping our marshmallow astronauts alive when subjected to the vacuum of space. The chemistry lab is my favorite, with explosions and fun activities like the jelly bean experiment last year and a level four tag class, we explored engineering from roller coasters to medical equipment. I have had the opportunity to build relationships with omsi staff, peers, and my asl interpreter team. I feel like omsi has always been supportive, accommodating, and safe. Good job ladies and gentlemen.

**Speaker:** I'm Jessica Lockhart. I am Alana's mom. I too was an OMSI kid. I've formed memorable memories of the science halls and summer camps growing up. 14 years ago, I returned to the Portland area after graduating from U of O. Underemployed, but very ambitious. I started volunteering at OMSI as a resume builder and it turned into so much more. I found a vibrant community in unexpected opportunities, including the discovery of programs for homeschooling and a lot of school-based education. It was a significant impact on my own career development and what I didn't know at the time was that it became a strong influence and a cornerstone in my family's own path. OMSI has supported an incredible science education for my twice exceptional neurodiverse children, for my daughter Alana, who over the last eight years has experienced progressive deaf gain, OMSI has also been a sanctuary. The staff have been unfailingly supportive and accommodating, helping her build the confidence she builds today. And for my seven-year-old, he has literally grown up in the halls of the museum, which in turn has nurtured his natural gifts in math, science and an boundless amount of enthusiasm. I continue to volunteer to give back at the numerous community events, including pride at the museum and the Oregon Science Festival. The OMSI district will extend the legacy, offering hands-on learning and innovation with important, culturally connected educational experiences. Your approval of this \$15.4 million infrastructure investment is a crucial to realizing this vision. By supporting this project, you're investing in a community space that is walkable, bike friendly, and dedicated. Not until not only to an educational opportunity, but a healthy, supportive, inclusive environment. Thank you for your consideration and support in creating a lasting legacy for Portland area families just like mine and future generations to come.

**Speaker:** Thank you. We appreciate you both. Thank you. All right. I think that completes invited testimony. How many folks do we have signed up for general testimony? Keelan

**Speaker:** No one signed up.

**Speaker:** Nobody signed up. All right.

**Speaker:** Very good.

**Speaker:** Thank you, everybody, for being here. Colleagues. Any questions. I just have a thought. I it's amazing to me how much omsi has changed over the years. When I was I was in omsi kid two and back then the two most exciting parts of omsi were the pendulum, which went back and forth an indefinite number of times, and the big plastic heart. I think those were the what was the diving bell? Maybe the laser light shows.

**Speaker:** Oh, the lasers. Yeah. I mean, come on, late 70s. What else did you do? Yeah, it was a little older. It was a little old. I'm outing myself a bit dazed and confused, a little older crew there.

**Speaker:** All right. And with that happy thought, this is. Oh, commissioner Ryan has a question. Possibly for staff.

**Speaker:** Yeah, it's about the 11,000 jobs. It's a very exciting number. Who wants to talk about 11,000 jobs? That was mentioned several times. This council wants to help us get to that number. So I just need to hear a little bit more about how we came up with that number and what has to happen. So it's actualized. Yes. Let's do it. If we don't get private sector down there offering some living wage jobs, it's not going to be that family housing and everything that we need to attract.

**Speaker:** That's true. And I would also encourage, as jill sherman here. Yes. Do you want to come join me? Thank you.

**Speaker:** Jill, I haven't had a recent briefing so that's yes. No.



**Speaker:** Great question. So we worked with econorthwest on the projections for the number of jobs during construction and after construction, based on the square footage build out and the mix of uses that we were contemplating in the district, including the 1200 units of housing we are certainly open to having more housing. We would need to go through a process to reopen the cmp and revisit that, but that is something that we have been talking about already with Portland housing bureau and helmets leadership to think about whether we could do more housing and whether we could make more of it affordable. I also think a key differentiator in the district is the fact that omsi is already the anchor tenant. You know, we attract 1.2 million people a year to water avenue, and with the development of a waterfront education park that is a public amenity for every business and entity locating there with us, as well as the development of the center for tribal nations, which we believe will be a regional, national, if not global draw. As james said, there will be a critical mass of people coming living in the district, and with that, we have already been getting a lot of interest from employers and including government employers about co-locating with us in the omsi district. What else would you add?

**Speaker:** And then maybe you could break it down if it's part of phase one, phase two and phase three scared me a bit because there are so many decades that were added on.

**Speaker:** Yeah, yeah, good afternoon, mayor and commissioners. For the record, jill sherman with evelyn and co just specifically to your question of like where does the number come from? It's based both on the full build out. So the construction all of the construction jobs that would be created, those hours get translated into ftes as well as permanent jobs that would be created, which are somewhat associated with residential. Obviously, there's property management and other types of jobs

associated with residential, but the majority of the permanent jobs would be created and housed by potential future commercial space. The original cmp, as it stands today, assumes about 1,000,000ft<sup>2</sup> of office. You know, we're obviously not about to in the current environment, build a giant speculative office building, but that is going to change over time. And this is a long term plan. And so it's those buildings that would create those jobs. And I think we do have a unique opportunity to go out and market the district. And this focus on science and technology and co-location with omsi as well as the focus on innovative sustainability technologies and the ability to sort of showcase that as a way to hopefully attract some anchor tenants to join us in the district.

**Speaker:** That's helpful. Jill. Right. Yeah. So was that the first of all the construction numbers made sense. So that was helpful to I didn't have that in my brain when you said the number, is this all the way going to phase three or is this just a phase one?

**Speaker:** It's at full build out.

**Speaker:** So all the way to phase three.

**Speaker:** Exactly. So this is one where when you've built out all of the square footage that can be built out in the district, which again today is 1200 units of housing, about 1,000,000ft<sup>2</sup> of commercial space. And then there's also active ground floor uses as well. And a lot of those buildings, it could change over time if it turns out there's more demand for housing and that makes more sense. But that would require going back and updating and revising the cmp.

**Speaker:** Okay. So it is a full all the way to phase three. Correct perfect. Thank you. You're welcome.

**Speaker:** Any other questions. All right. Thank you to the resolution. Please call the roll gonzales.

**Speaker:** The ramsey district is truly a cornerstone project in defining the city's landscape for the next century.

**Speaker:** Like so many Portlanders, Portland families, my family has a deep ties to ormsby's history. All three of my children grew up in omsi camps or visiting on Saturdays. Usually the rainy ones, when there wasn't much to do. But yet we found a place that was stimulating, engaging and fun for all three of my kids. While the project is rich and multifaceted, I find particularly touching that an organization so focused on a place for children to learn to play will kick off the next generation of projects in the city of Portland. But I also want to emphasize one piece here as a real estate lawyer, term sheets are just the start lining up financing, developing finalized agreements, and most importantly, getting family wage jobs. Putting shovels in the ground is the real work. But today is an important step in envisioning the future of Portland in a post-pandemic world. I wholeheartedly vote I maps, I want to congratulate and thank everyone, especially city staff who worked to get us to this moment.

**Speaker:** I will tell you, I have been watching this project from a transportation perspective for as long as I've been on council, all the reviews I have heard, in the last several weeks and months suggest that process in particular has done an amazing job pulling all our partners together. So thank you so much, and I want Portlanders who are just tuning in to this particular, project, to know that some really exciting things are happening in this space. You can think of probably a lot of us either grew up, playing in omsi, and certainly I think a lot of us have, taken our kids to omsi. I still have kids, who are kind of omsi age appropriate, but there really is a new vision for this space, and it's an incredibly exciting one. I tell you, I can walk from my house down to omsi, and I do it with my kids all the time. Also, when my rent and root. Very excited to see the environmental work that we're going to do in

this space, the cultural work that we're going to do in this space, you know, bringing new housing to this space is going to be profoundly transformative. You know, the kind of and it's worth noting that this will take a while to move forward. But some of these, some of the work, that's going to happen in this space, you will see right away, I think in my opening comments, I talked about this being the foundation for one of Portland's next new neighborhoods, and I believe that is absolutely true.

Thanks to everyone who made this possible. I vote yea arabia,

**Speaker:** For the record, i'll just say I too was an army kid, and I have to agree with you, mayor, that the walk through heart was amazing. It was. It was everything as a kid, so I just want to say thank you. Aaron james, amy director branam, dca olivera, and the guest presenters for your important words, your inspiring words to and to all each of you and the numerous staff and community and tribal partners for all your work on this incredible project. I'm thrilled with the vision for the new mixed use and mixed income neighborhood on the river in central city, with access to transit and the center for tribal nations, which is going to be just amazing, I'm really thrilled with the partnerships also that got us here and this partnership, this partnership and these projects have incredible momentum. Everyone is talking about this project, and it's one of the best opportunities that we have to bring new energy and investment into our central city. So it's worth rooting for and it's worth fighting for. And I know we're not done yet. We still need to track down more funding for the streets and to create a new tif district to get even more of that affordability in there. But it's something I know that we can do, and it's an exciting moment. And I want to just thank each of you, everyone that's involved for your contributions. Looking forward to this project. I vote aye, Ryan.

**Speaker:** Yes, the omsi district. Bravo for establishing a name. What a brilliant brand moment for the cherished institution that we've all been talking about. If you

grew up in Portland like I did, it's true. Omsi was just a place you wanted to go hang out. And I remember saying to my mom once because I was like, probably many kids that didn't find my science classes that interesting at school. But when I went to omsi, it was like, okay, why can't all science classes and teachers be like what you experience at omsi? So the role that you play for science literacy is very, very important for the education ecosystem of our city and the whole state. So thank you. On that note, I think there's a lot of omsi employees here today. Could you all stand up and be seen? Because that's why all of our families like to go there. It's because of you. Look at you. Yay thank you so much for showing up, aaron graham. You've been such a patient, persistent leader. I remember one of my first moments on a site visit was with you commissioner Mapps. Everyone was still holed up in covid, but we got to go on a walk along the waterfront. You organized that and you explained the vision so well, and you also talked about the importance of your relationship with the native American community. And you spent a lot of time on that. And it was really clear that it wasn't just, i'll just say it didn't feel like a check the box equity moment. It was very authentic. And then so to hear the testimony from aaron graham this this afternoon, mayor graham james parker, sorry, I looked at my notes quickly. It was great to have you here. And you could see that this is an authentic relationships with the northwest native chamber. And so I wanted to acknowledge that because we don't always experience such deep engagement like that. I also want to just make a comment about how important the family housing is in, in general in Portland. But to have it in a, in an area that's called the omsi district, we have an infrastructure challenge right now with our schools, the enrollments going down pretty dramatically in our elementary schools, which isn't a good sign for all the new high schools we've built. So Portland must attract families that want to move here and stay here. It's always been a bedrock. On why Portland's a

successful city in the country. We've always been a top 25 city, and it's not because of our corporate purse. It's because of things like having a great school system, having amenities for families, having great parks and so this is a part of the Portland that we want to continue to be. And we have to keep providing infrastructure so that our school enrollments don't keep declining. So I wanted to also just mention that it has, it has other aspects of the economic long term plan that might not be seen. So I wanted to call that out. My thing is I'm really excited about this. I do look forward to being a champion if I'm on this council going forward. I will do everything I can to help create some more enthusiasm on how to attract those more anchor tenants in the private sector. So I'm looking forward to be a part of this journey. I vote yea Wheeler I am very enthusiastically supportive.

**Speaker:** Thank you everybody who's brought this. Are we still on the air now? You're on. Okay, well, I'm just going to keep going. Yeah you guys are here. You made the effort. So, I just want to say that that I think this is the beginning of what will be a fantastic journey. This is an important. You heard. It will take many, many years to fulfill it. My colleagues really said it best. This is about the future. This is about engaging our families, about engaging our community. There's a lot of tough work that needs to be done. But I think you'll find that this City Council and the next and the one after that, and it sounds like 2 or 3 after that, will continue to be supportive of this vision. And I hope that this vision is not only catalytic within the umc area, but I actually hope it will help to propel further investments and development in the lloyd district, that it will help make the case stronger for the broadway corridor, that it will also generate some enthusiasm across the river in the zidell yards area, and continue to put Portland on the map as a place that people want to work to play, to visit and again, I really appreciate the focus that you all brought to this project. I vote aye, and the resolution is adopted to the

emergency ordinance. Please call the roll. Gonzales commissioner Mapps has a point of order.

**Speaker:** Did we manage to stay on recent broadcasting? Yep. Okay, great.

**Speaker:** Yeah, we lost all of our technology up here, but that doesn't matter.

**Speaker:** I'm still having some system issues, but I think we're good.

**Speaker:** I think we can continue. Gonzalez.

**Speaker:** All right, maps,

**Speaker:** So just for folks following at home, this is the IGA intergovernmental, intergovernmental agreement between, PBOT and Prosper Portland that will help us build some roads in this space, and as your former infrastructure commissioner, there's something I want to share with the people of Portland, we all care about development. We all care about new housing. But I'll tell you, all of our development that happens in this town is built on the bedrock of infrastructure. What, you know, roads, water and sewer, and I'll tell you, I think, I want to really take a moment to stand up and thank our teams over at PBOT who have made this happen. I will tell you, I don't know if there is a bureau in the city that works harder. And frankly, sometimes gets less respect than our team at PBOT, but I will tell you, I've seen them get up and be out there in the middle of snowstorms, trying to make sure that people can get home, I know people care deeply about their infrastructure, whether it's being able to not be stuck in congestion or be able to get to where you want to go on your bicycle, I have been incredibly impressed and moved at their ability to creatively and constructively respond to, the expectations of Portlanders, including their expectations of Portlanders that we rebuild and reimagine this space, madam director, I want to thank you for everything you've done to get us to this moment. And I want to thank all the other folks who, helped

us get to this moment, too, which is why I vote. I yea. Rubio i, Ryan, here's infrastructure.

**Speaker:** I Wheeler I the emergency ordinance is adopted.

**Speaker:** Keelan. Do we need to stop for a while while we figure out what's going on? None of us have any technology up here. We have no screens. We have nothing.

**Speaker:** Aren't we done?

**Speaker:** I wonder if it's. We have one more item. Can we do a photo with all the people here from austin?

**Speaker:** Yes. So maybe we'll other popped up in front of.

**Speaker:** Okay. Something.

**Speaker:** We'll take a recess. Oh look we're back now. Photo. Go ahead and begin.

**Speaker:** Folks, I'm really sorry, but we still have business that we have to conduct. So if I could just ask you, keep the party going, but move the party. Thank you very much. All right, item 776. This is an emergency ordinance at community police oversight board pursuant to Portland city charter, chapter two, article ten.

Colleagues, after years of effort by many, many people, including community, city staff, legal staff and others, we've reached yet another significant milestone in our settlement agreement with the united states department of justice. Despite a deeply frustrating fairness hearing last week as elected officials, we must continue to move forward and establish a new police discipline system consistent with our responsibilities under the new city charter. To that end, heidi brown from the city attorney's office and stephanie howard from my office are here to review the code package for our final consideration. Heidi and stephanie, welcome.

**Speaker:** Thank you. Mayor, good afternoon. Council, as the mayor mentioned, this has been a very long journey. And we're not at the end. We're at kind of



another inflection point and a new beginning in what will continue to be a journey, and as all of you know, representatives from your staff worked really hard on developing the code package that you're going to hear about today. And it will largely be familiar to the one that you saw and approved of back in November, next slide please. Thanks with that work, the overarching goals that we followed in trying to put forward the code package that you will vote on today was again a top priority to fulfill the mandate of the voter approved changes to the city's charter and also to create a system where discipline can be upheld in the event that it is challenged going forward. And that balance was at times a tenuous challenge to meet. But I do believe that what you will hear about today, does meet both of those goals. Next slide. So just to give you a quick overview of our presentation, we'll start with just a quick reminder on what the charter mission statement was, as well as a timeline of some of the key dates that have passed up to this point, we'll overview the changes that have been incorporated based on community input, as well as the changes that were incorporated based on our bargaining with labor partners and with the department of justice. We will wrap things up with a discussion about the court ruling and the next steps. And then we wanted to provide ample space for council questions. And of course, the public comment. Next slide.

**Speaker:** Good afternoon council. My name is Heidi Brown and I'm with the city attorney's office. And it's great to be here with all of you today, I wanted to start by reminding you where the charter, directed us, by commenting on the mission statement. And if you'll recall, the mission statement for the charter amendments related to the oversight system were to independently investigate promptly, fairly, and impartially, and to impose discipline as appropriate, as well as to make recommendations on police directives and policies. This is a mission that guided

our work in developing the code language that guided the work of the police accountability commission, and that guides us still today. Next slide please, as stephanie mentioned, our goal in this was really fulfilling the voters mandate, which was the mission that we just talked about. And what we what we attempted to do. And I think we did, successfully, is to implement the mission through this code language that's before you today, which then leads to community led investigations, something brand new for, for us, because even independent police review, although they are not sworn officers, they are, they are they are city employees. So this will be a community board that will oversee the office that that does the investigations, and then the community board itself will make disciplinary decisions as to what's appropriate. Next slide please.

**Speaker:** So just quickly reviewing some of the significant dates in this process in September of last year, this council accepted the police accountability commission report. And you'll recall in that report there were recommendations for code language as well as some recommendations for structural pieces around the system, from that date until November 15th, council representatives, along with city attorneys, we worked to base the code package on those recommendations, working to maintain as much as we could while also addressing, again, making sure the mission was consistent with the charter, making sure that the code language was consistent with legal standards and trying to synthesize all of that work into a code package, recognizing that in the future this board can promulgate administrative laws and rules for itself. On some of the more nuanced details that came with the police accountability report, on November 15th, council approved the city or I guess, through a resolution, directed the city attorney to move forward with that modified code package to work with our labor partners and to negotiate with the department of justice, followed by a fairness hearing. And in that process,

we also maintained opportunities to engage with the community, to receive additional feedback and to try to, you know, identify areas where we might be able to strengthen the code based on all of that feedback. So in December, on the fourth, we had a town hall, where we engaged with a broad community, received lots of great feedback, and then from there, from December to this June, the negotiations were occurring with labor partners and the department of justice, June 27th was the date that we announced, the final code package that would be moving forward to the fairness hearing and so that was made publicly. We, again, had a July 15th town hall engaged with community heard concerns and discussed many of those concerns. And then on July 31st, the code package was posted along with our motion, our joint motion with the department of justice to, accept the amendments to the settlement agreement that would incorporate this code package. You'll hear today, last week, August 29th, was the fairness hearing, and I think as you all are aware, the judge and we'll talk more in detail about this, but the judge did grant ultimately the amendments to the settlement agreement and the code. However, he made a decision to delay certain implementation of that. Again, we'll talk more about what that means for the council's next steps. In just a moment. So next slide please. Thank you. So beginning with some of the changes that were made since this code package last came to you in November, we got as I said, we got great suggestions from community and our engagement over these last several months and incorporated several of those, including the recommendation that we would ensure anyone who filed a complaint would receive or be assigned or connected with a complaint navigator that can help to help guide them through the process, explain the important, you know, steps in these processes, and help make that experience a little bit more, more accessible to them. And so that was a great a great start. And we in fact, based on a suggestion from the mayor, included that to

occur whenever an officer involved shooting happens so that there are any, you know, family or related members of that individual would receive that same support from a complaint navigator, we also moved this new board out from under the public safety service area and under the city operations area, which is where our, our, human relations group is our those sort of independent, city bureaus that are responsible for navigating, you know, employee conduct and things like that. So that was a natural place for that to land. And that was a request made by community, we also received feedback from the community that they were not happy about having us having added representation from the police, the Portland police association, the command officers association, and one representative from the chief's office to the nominating committee that would review applicants and make recommendations for council appointments for members of the board. To try to balance that, we increased the number of community members represented to two from the citizen review committee, as well as added a representative from the office of equity and human rights, so that that would those voices would also be embedded in that nominating process, in addition, we expanded, oops, sorry. One second. We expanded the oversight system to allow them to provide feedback on all internal affairs investigations. And so what that means is, while there are certain cases that would remain with internal affairs, the oversight board would have the opportunity to review those investigations once complete and make a recommendation to the chief if they feel there was something that had not been investigated or an outcome that they felt was inconsistent, that is the same authority that we provided to the chief, to overview, to provide feedback to all of the new board's investigations as well. Thank you. Thanks. And finally there we heard concerns from community with regard to, having a required, ride alongs for board members as part of their training for this board. And so what we also heard

was the suggestion that if we're going to include that, maybe include some a more community focused training as well, and so we did add that to the training. So that new board members will not only receive training in the police, you know, the police area, including ride alongs, but they would also have the requirement to engage in some sort of community based, training that provides a lens from a community who's been policed, and I think there are several different kinds of ways to do that, including things like the red door project and other other things like that. That can be incorporated. Next slide please.

**Speaker:** In addition to the changes, the updates that were made based on community input, we also made some changes based on union input. And the us department of justice input. So we made a minor expansion to the annual audit review to add some additional transparency. It existed in a in another section, and we just added it into this section as well. We also noted that the, if the oversight system has jurisdiction over one allegation, and there's more than one allegation in the complaint, the oversight system will investigate the entire allegation. So whatever is in the complaint, if there's five complaints, excuse me, allegations, they'll investigate the entire complaint. We also allowed for the deputy city administrator, who in this case is the deputy city administrator for city operations, to make exceptions for board members to vote on administrative investigations, even when training is not completed yet. So currently, the main requirement was they need to complete training prior to, hearing any administrative investigations. And if the deputy city administrator feels that there's a good reason why they haven't done maybe a couple things out of the training that are required, then they can make an exception for how, you know, maybe a few months or however long, lastly, we added training on use of video footage similar to what we are requiring in our body worn camera policy that you all approved a while ago, there was a

requirement that the investigators go through training about body worn camera footage and sort of its strengths and weaknesses, if you will, and really understand how it works, so that they could use this tool as effectively as possible. So we made that change as well to include it. Next slide please. I also just wanted to remind you that that along the way in may, I came before you with stephanie and we amended title three to add the oversight system to code. This was done to create a budget authority, a place to put, positions. Et cetera. For the oversight system in anticipation of standing it up soon, i'll let stephanie address that a little bit more.

**Speaker:** Yeah. So in order to create, do all of the back of the house things that need to happen in our, our accounting systems and other systems and to create positions so that the new board would have some positions they could hire directly into and move quickly rather than having to do all of that behind behind the curtain stuff. We set all of that up in this budget cycle, including the budget, and we also accounted for seven staff positions just to get the new board started, including one director and six coordinator positions, which we chose because they're quite flexible and the board can choose to use those staff in a way that's most supportive to them. And I will say that as we have been moving forward, we have put out a job posting for a limited term. One of those coordinator positions to help with the onboarding that we thought we would be doing now, as well as getting the nominating committee, supported getting applications out. And so we are that job position was posted yesterday, I think we still intend to hire that and we can talk more about that in the next slide.

**Speaker:** So next up, based on the court rulings. So last week we went to court. We were there from 9 to 3, there was a lot of testimony, a lot of information shared with the court about the amendments to the settlement agreement. So to be clear, what was before the court was a question, was required amendments to the

settlement agreement to allow for the oversight system, because currently the current language focused on independent police review and other systems in existence. And now we are moving to the oversight system. But that wasn't accounted for in the in the settlement agreement. As of yet. And we had agreed, back a few years ago when we made some amendments to the settlement agreement that we would make these amendments that we made last week, and also that we would come to you within 21 days of that hearing to adopt code amendments at the same time that then implement those those changes to the settlement agreement and start standing up the new oversight system, the judge, as you're aware, heard a great deal of testimony, there were concerns raised on a couple of topics that the judge, made some suggestions for how to address those, including there was concerns about bias, that using that term bias, that the, that the members of the board would not be that that they would not have an objective demonstration of bias for or against police. And we talked with the court about how bias is a, were a lack of bias, rather is a requirement for jurors and cases. It's a requirement for judges to apply. And there's all sorts of decision makers that we expect to not bring their biases, to their decision making such that they don't make fair and impartial decisions anymore, so we talked about that, and the judge felt that was a reasonable thing to include in the amendments to the settlement agreement. We also talked about, the ride along requirement. There was some concerns about that. The judge offered to go with any members of, potential members on the board who felt uncomfortable riding in a police car, that they could reach out to the judge and he would go with them as long as there weren't too many of those requests, so that was those were two of the solutions he provided for those issues, but the last issue that came up was around the, nominating committee. So as stephanie explained, the nominating committee is a

group of community appointed members along. So there were going to be five, one for each of you to appoint, on this initial panel. And then going forward, each district, council member would appoint, excuse me, each district would appoint one community member to this nominating committee. Then we'd have two members on the initial appoint initial committee from the citizen review committee. Going forward, it'll be two members from the board, and we have one member from the office of equity of human rights. And then we had, as stephanie said, one for the police chief to appoint, one for police association to appoint and one for the command officers association to appoint in response to concerns raised about that, the judge decided that we could move forward with the code amendments today because he was aware that we had intended to bring this to you today for adoption, but did say that we were not to take further steps and that the amendments don't go into effect until January second, thus halting our efforts in trying to appoint the board and get them started as soon as possible so they could get their systems set up and a director hired and all the things that need to happen, part of the reason why this needs to happen is that we have one year from the date you adopt the code, to then implement the code language that is higher. The board members or excuse me, appoint the board members. Rather, the board members then have to hire a director of the office. The director then has to hire investigators and administrative staff, etc. Who will actually run the office and do the rest of the work along with the director. And all that work needs to happen and they need to start taking complaints within one year of the adoption of the code language. So that does make it a little more challenging for us, but that was the ruling of the court. We did talk about the concerns, at least I did on behalf of the city, that this would pose to us in implementing all of this in a reasonable manner, but the judge felt that that was the appropriate way to go forward, and that was the ruling that he



made. So, so that's what we're facing now, is that we need to adopt this code language, which we are required to do within 21 days of the court hearing. And, and then to move forward to implement as much as we can, as quickly as we can, and along those lines, I'll let Stephanie comment some of the work we're already in process with.

**Speaker:** Yeah. And before I do that, I do just want to explain one other aspect of this that's really important. Right now, the discipline system relies on the police review board, which is a voluntary group, that sits in and hears and votes on disciplinary cases. And the citizen review committee, which also reviews cases and addresses certain types of cases after there's been an appeal, those two bodies are completely made up of volunteers. In addition, our current discipline system relies on the independent police review, which does investigations and again participates in making voting and making discipline recommendations to the chief under the settlement agreement. Those three those bodies that are currently in place are to continue to take cases until the new board is stood up within that year and can begin. And then this body, this existing body would then stop taking cases and finish the cases they have. However, those cases, depending on the types of cases they are, can take months if not years. And so what really happened here is two things we have. We we've lost four months of this new system's timeline to stand up and begin taking cases for months that we cannot do anything to get the board seated. What we can do is what we're planning to do here, which is hire that coordinator that I mentioned that can at least help with getting a recruitment out so that there are applications for a nominating committee to begin reviewing once the new council appoints them, whenever that may be, and to again to, to work on that recruitment to that is the realm that we have under the current ruling, is to adopt this code, to hire that position and to try to start the recruitment. In the

meantime, the folks, the volunteers on these boards with crc, prb and the employees at ipr are kind of continuing on in limbo, which is a really, really challenging place for all of them. And we are very, very grateful to them for their continued service. And any of those roles and recognize just how challenging that that is for them. Based on this ruling, I think that about covers where we are at this point. Great

**Speaker:** Commissioner Mapps, thank you for number one. Thank you for all your work on this. And frankly, I know, staff from every office has been deeply engaged in this conversation for as long as I have been on council, and it's great to see us get to this point. And frankly, since we've been doing this for at least four years, I shouldn't I should have a better grasp on the question I'm about to ask, and it, it it I'm going to circle to everyone's dread. I'm going to circle back to the nominating, committee, rulings from from the judge, I don't want to relitigate that. But one of the things I am, I'm, I have been confused about through this entire process is what's the judge's role here when, the advice that I typically think of judges as interpreting law, but especially in the nominating committee thing, it looks like a policy development intervention. And maybe some political advice and, maybe it's a good policy and maybe it's good political advice, but it's not something which I traditionally think of as coming from the legal system. Is there a legal basis to the rulings that are happening here? Are we in a different realm?

**Speaker:** Well, commissioner, i, I at the I will know. At the start of the hearing, the judge commented on that what was before him last week was the question of the fairness, reasonableness and adequacy of the amendments to the settlement agreement. Right. Not the code language, so while there was language in the amendments to the settlement agreement about bias, which we talked about and about ride alongs, which I talked about with you and we talked about with the

court, there was no mention in the settlement agreement amendments regarding the nominating committee, basically what the judge said was that if any party, because the department of justice, along with the city, asked the judge not to make that ruling, we didn't feel that was the correct ruling to make, the judge said that if either party was unhappy with the decision, that we could appeal that. The unfortunate thing is that I think, you know, an appeal, especially to the ninth circuit, often takes years to get an outcome certainly won't happen in four months. So, it's an odd stance to take and it's an unfortunate position to put us in, because there's not a lot of avenue for review except potentially a motion to reconsider. But, that's there's not really a timely avenue to address this. If to the extent, if counsel were to feel that, that may be overstepped, may be the judge stepped into a realm that wasn't that wasn't his realm to be in. There's not really a process to take that back in a timely manner. That will achieve something.

**Speaker:** So, thank you, and I understand in the real world, you have, practical constraints. You know, you're trying to hit your time timelines and whatnot, especially on something important like this. But just so I broadly understand how to navigate spaces like this in general, I should assume that we're deciding this on the basis of law. In the end, if we were to appeal, the this question would be decided by state or federal law as opposed to just kind of political instincts. Is that correct?

**Speaker:** That is correct. I mean, commissioner, if we were to appeal, then what the appellate court would look at was whether the judge was acting within the legal realm, that he was allowed to act within. I think the question would be whether the whether the issue, by the time it got to the court of appeals is moot because the because it will already be past January of 2025. So okay, well, checkmate.

**Speaker:** Thank you.

**Speaker:** Thank you. Commissioner, I can't yea. Gonzalez then, commissioner Ryan.

**Speaker:** Oh, you're trying to.

**Speaker:** I was trying to raise. I'm still having system issues, just fyi, but, building off commissioner Mapps question, maybe just to crystallize one component of what is the purported authority of judge simon to instruct delay in appointment?

**Speaker:** Well, I think what judge simon, what he did was not, decide what the nominating committee will or won't do. But kept his ruling to the, implementation date of it. So he has decided to post-date it to January 2nd of 2025. As you know, there are times where judges can make a decision to have to delay or stay execution of an order or something of something of that nature. I think the unfortunate part in this situation was that, the discussion made it clear that there was concern about who would appoint the nominating committee and that, and that that was the basis for the delay. He also talked about maybe taking it under advisement for 60 days, which, as you know, is his right to do. And then issuing a decision that would, would not go into effect for another 30 days. So he had a couple of different ways. He could get there.

**Speaker:** But but just so I'm crystal clear, though, I'm trying to narrow the question. So if he were to say, you know, his his authority to essentially order, I mean, indirectly, he's ordering this body to not appoint what, what basis what what is the basis for that authority?

**Speaker:** Well, I don't the on the basis that the judge would have would be whether the city was in breach of the settlement agreement, were we to after adopting the code language today, move forward right away in appointing the nominating committee, rather than waiting till January 2nd. And so the issue would be, I think that would be the legal question.

**Speaker:** So he would point to the settlement agreement as the basis, because I'm just trying to think through the charter language and what our mandate is under the charter language.

**Speaker:** I think if I if I may, I think what he's trying to say or what he tried to say, from what I heard, was that he believes delaying that is fair, reasonable and adequate. In response to the amendments, the settlement agreement and that language that you're citing comes from the settlement agreement or what's the basis for that as being the I just want to understand what the claim of legal authority is here.

**Speaker:** Fair, reasonable and adequate. It's a standard that courts apply when assessing a consent decree or a settlement agreement of this sort between the united states and a jurisdiction over all sorts of different issues. But in our case, allegations of excessive force and the timing.

**Speaker:** What does the charter language approved by voters say as to the timing of the appointment of, you know, or is it silent? It's silent. Okay. So we're in a space where there's not a clear mandate from the voters. So the judge intercedes is not a clear mandate from voters as to timing and crystal clear. What I'm saying. You know, i, I don't I'm not particularly troubled by who appoints these folks. I don't find it particularly the most significant issue. I know others do, including some of the folks testified last week where I am much more concerned about is a federal judge repeatedly overstepping, any reasonable constraints, and there's been a pattern here, for years. And, you know, he played a game here. He knew we couldn't appeal, that it would be moot. I mean, that's that's a much more problematic dynamic here. And that a small subset of the community, gets to hold up appointment. We're just trying to execute the authority, you know, the will of voters here. So that's the that's the bigger issue, you know, who appoints next council

wants to do it, knock themselves out. I mean, I don't, I do wonder if we should be appealing just on principle, because this has been a pattern, it's set a terrible precedence, but but i'll leave it at that, commissioner Ryan.

**Speaker:** Yeah, thanks.

**Speaker:** Hi. I was raised by a social worker, and she taught me to. The way to develop compassion is to put yourself in other people's shoes. So I think in many of our meetings, we've had a few. Heidi, I mentioned that I thought doing ride alongs was just an important part of the training, I want to understand back to putting yourself in other people's shoes and having compassion. What the equivalent balanced. Offering was that that was that I thought I heard about, but I couldn't I couldn't wrap my head around it when I just heard that from all of you a few minutes ago.

**Speaker:** What the. What the judge had suggested. Oh, what the equivalent balance was. What I heard is.

**Speaker:** Yes, if you're going to have people do ride alongs so they have more insight into their roles, there was something they wanted to provide that was balanced, that would give equal insight, is what I'm assuming is what's going on.

**Speaker:** Yes, education. It was it was a recommendation from community member that we include in their training for board members education on the perspective of community members who have had negative policing interactions so that they they would hear from both sides. So that was kind of the balance that somebody had suggested. If we weren't both sides, that that was that's the key word here.

**Speaker:** So we're continue to frame this as both sides. Okay. Yes. That's fair. I just wanted to make sure I understood what was going on here. Thanks. Thank you.

**Speaker:** Can you think of any other example of an oversight committee in any field or any industry, where members of an adjudicating body don't have to ever be in the same room with the people whose work they are overseeing, like do doctor oversight boards not have to spend any time in a doctor's office or a hospital, or meeting with doctors? People who uphold engineering, civil standards? Do they not meet with engineers or set foot in an engineering firm? I'm just trying to figure any comparator here, and I can't think of a single one.

**Speaker:** I'd agree with you, mayor, and I would note that of all the boards I can think of, like the nurses, nurses, nursing board, the medical board, all those boards, not only do they hear from and get familiarized, but they are made up of predominantly the groups that they are overseeing. So like teachers standards commission, you know, there's a lot of teachers involved in in doing that work. So you generally have people who are engaged who have previously done the work, so they understand what the work is. Well it just seems to me if you are so traumatized, I'm not belittling people's trauma.

**Speaker:** But if you are so traumatized by police activities that you cannot even be in the same vehicle with a police officer, how can you reasonably stand in judgment in an unbiased manner of those individuals who you can't even be in the same automobile with, or walk down the street with, or visit in their place of employment? To me, just logically, I'm not getting it. Can you explain it to me?

**Speaker:** I cannot, mayor, I would note that one of the things that we did remind the court about is the fact that as part of a discipline process, if a decision is made to discipline an officer, there is a requirement for a due process meeting. This is standard due process required under under many different standards, including constitutional standards. And in that instance the board members will have to meet with the involved officer to hear from them as well as their union representatives.

So it's not as if, even, even even if they didn't have the right along, they're still going to be interacting with police officers and engaging with them.

**Speaker:** Well, they'll be reviewing potentially video we also have body worn cameras. They will be hearing from those officers, so there you know, the nature of this work requires people to be in that environment. It seems to me that, you know, even the request that people shouldn't have to be in that environment strikes me as this individual is not only a good candidate for this particular volunteer effort. And maybe I just I literally don't understand the logic of this, and I'm struggling to get it. I want to see the other side, but I just don't get it.

**Speaker:** I will have to let community members share their perspectives with you on that, and I'm happy to hear that.

**Speaker:** But but I want to be clear, I'm not just asking if they are traumatized. I believe there are some people who are legitimately traumatized, but the job that they would be applying for here is to provide a fair, unbiased, objective opinion about the activities generally of those individuals that they are so traumatized by that they are unwilling to even do a ride along that just it doesn't. I mean, if such an individual actually exists and is actually on that committee, I'm not sure how that isn't the definition of bringing bias into the decision making process. Am I wrong and feel free to push back?

**Speaker:** Well, I think I mean, I don't know that just because somebody experiences trauma that they, they can't objectively do something, but it does raise concerns about whether whether whether that can be put aside. If you can't sit in a police car with somebody and then also how are you going to be impacted as you noted, by watching body worn camera footage? I am i, I did have concerns that if somebody were on the board and was unable to do a ride along, whether that would give some, argument to the union if, if that board member imposed



discipline, would the union then be able to argue to an arbitrator? And I'm going to be trying to defend why this person wasn't able to do a ride along, but was able to still sit in judgment on this case and fairly and impartially make a decision about it. It just makes my job a little harder in trying to defend.

**Speaker:** Is this a real thing? I mean, I keep hearing about it. Is this a real thing? Like, are there people who say, I want to apply for this, but I'm not willing to be in the same room with a police officer? I think there were what what I heard sort of a made up mythical creature.

**Speaker:** No, I mean, I think we genuinely heard at town hall and at the court hearing that there were people who didn't feel comfortable doing a ride along, but that would want to apply for the board, and that this would be a reason why they would not apply for the board. So, okay, I will say that that absolutely was something that people people did share. And that's where the judge tried to come up with some compromise to have people experience the ride along and get familiar with police work by offering to go along with them and the ride along.

**Speaker:** Well, this this cannot work. I mean, i'll just put my cards this cannot work. If people will not inform themselves and be educated about what the work is over which they will be sitting in judgment, they need to know. I mean, if you're overseeing accountants, you need to know something about accounting. You can't say, oh, I don't want to do accounting. I don't want to learn anything about accounting. But I sure as heck want to hold those accountants accountable for their work. It just it doesn't make sense to me.

**Speaker:** I would I would know, maybe I'm just too stupid to get it, but not no mayor. Not at all. You raised very good concerns. I do want to clarify, that there is a requirement that they learn pb history and learn the policies and things of that nature, so nobody was opposing that. And so I do want to say in defense of people

who were they weren't saying, we don't want to learn anything about policing or police work. That was not the position. They were just saying that being on a ride along was something that they didn't.

**Speaker:** Only the ride along was that, well, we have ride alongs, the ride along, we have ride along and participate in community academy.

**Speaker:** So those two things, community academy.

**Speaker:** And can you describe that a little bit community academy is an all day, scenario based training that the police bureau puts on out at their training facility, and it allows community members an opportunity to kind of what is it like to be a police officer?

**Speaker:** So they get to kind of walk through, hey, this is what it's like. And the police actually will play. You know, they might pretend to be somebody who's, who the officer is trying to talk to the community member play acting as a as an officer and you pulled them over. And what do you do and what's the conversation like? So the officers will pretend to be the community member that the police officer is engaging with. It just gives community members an opportunity to see what what might it be like for officers, when they're out in the field.

**Speaker:** Okay. And, I did that years ago, and it was pretty, you know, I found it informative personally.

**Speaker:** Yeah. And I think, you know, one thing that was made clear at the hearing was that if a community member, for example, doesn't want to do a particular aspect of that community academy, that they could just watch, so there was one member who, one community member who came up and talked about not being comfortable shooting. I'm not sure if we even require offer that as an option, that they would actually shoot a gun. But, but chief day was there and made it clear that that no, if people don't want to do different aspects of it, they can just sit and

watch. Okay. So better than nothing at least they're in the room. Yeah. Just so exposes them to it. You know, they pb has done a lot of work on the community academy to really kind of offer some education to folks and give you the experience of what is it, what is it like for police? And it's, you know, a lot of people I've heard from have really appreciated that experience.

**Speaker:** And I want to acknowledge, something about this code that I strongly appreciate as, as people know, way back when, I don't even know how long ago it was. Now it's probably well over a year. Whenever we started on this, I felt that this has to have legitimacy with the public. If it does not have legitimacy, the whole thing blows up really quickly. And I felt that the exclusion of police officers and families was a blow to legitimacy. And I understand that has been corrected.

**Speaker:** Mayor, in the charter language, law enforcement members and their family members of current law enforcement members are not allowed on the board. However, what we did change was that the recommendation from the police accountability commission was that they also be prohibited from working for the office of community based police accountability. So the office is the one that will have a director, have the actual investigators, etc. And so that was one thing that council staff and our office worked together, and that was one of the changes we made that you all adopted last November.

**Speaker:** And so let me ask you a question. If you let's let's take the obvious case here. We're not just excluding currently certified law enforcement officers. We're also excluding their families.

**Speaker:** Yes, that's in charter though, mayor. So that's I it doesn't matter to me how it got there.

**Speaker:** The point is it's there. And I'm asking again for a precedent. Can you tell me any oversight committee or any board where the families of the people who are held accountable by that board are not allowed?

**Speaker:** I don't know, participate? I don't even know of boards that, have an have disciplinary authority that don't have members from that area that they're overseeing. Could a retired officer participate? No, they well on the in the office but not on the board.

**Speaker:** Could the spouse of a retired officer participate?

**Speaker:** Yes. Okay. So it's a family member of a not currently active a family member, but somebody who was active as a police officer or a law enforcement officer at some point during their career is excluded.

**Speaker:** That's correct. Does that include veterans who were serving in this capacity in the united states military?

**Speaker:** We would have to look at our definition of law enforcement. So if they were on the military police, then they they then they would be excluded as well.

**Speaker:** What if they work in one of the jails? That is a component of law enforcement. Are they excluded?

**Speaker:** That's correct. They are.

**Speaker:** What about parole officers where we landed on that?

**Speaker:** I'll have to look at the code language and get back to you on that in just a minute.

**Speaker:** Okay.

**Speaker:** You get my point. I don't I don't need it right now because I can't change the charter. The public voted for it.

**Speaker:** Well, to be clear, mayor, the public voted that law enforcement officers and their and law enforcement, current law enforcement officers, family members

couldn't be on the board. Then we looked at what's a definition of law enforcement officer. And so we took what the police accountability commission had recommended. We made some changes to it. But that definition of what is a law enforcement officer is in the code.

**Speaker:** Okay. Well, you know, I will remain hopeful, but skeptical.

**Speaker:** Thank you.

**Speaker:** Mayor, may I ask you, commissioner Gonzalez. Yes.

**Speaker:** So given your line of inquiry in the answers, you just received on the charter language and your experience as a police commissioner, do you think the charter as written jeopardizes the recruitment and retention of police officers in the city of Portland?

**Speaker:** That's a hard question for me to answer because I honestly don't know the answer to that. I mean, the charter was passed. It's been out there for a while, I'm trying to highlight some of the issues that I think at some point might wish to be revisited. Frankly, our recruiting has gone very well, but I think this process I'll just be very honest. I don't think people listen to me when I said this process has to be seen as legitimate in the eyes of the public, meaning it has to be seen as a fair, balanced, impartial approach to police oversight. And I don't think it got there. That's just my personal view. I believe our legal counsel has done a fantastic job of cleaning up this work, and Sarah Ames is here too, and I want to. She didn't get a front row seat today, but you know, this has been a yeoman's effort and it is greatly improved. And I I'm not going to surprise anybody. I will support this because we have to. But I believe the future City Council may have to do some true up work on this, because if it is not seen as legitimate by the public, by law enforcement, particularly if they are subjected to this, and even those who serve on this committee, if it is not seen as legitimate. We're going to go back to where we were,

which was co-op, and I still have nightmares about co-op and what it did to this community in terms of police accountability and oversight. It was an abject failure and it lacked legitimacy. And I feel like the last several years have been really good. We've had people who have been very dedicated and tried to learn and educate themselves and see both sides of the issue. People who ordinarily I would disagree with all day long on politics. We were seeing eye to eye on the functionality of our police oversight and accountability system. I just don't want to see us go backwards.

**Speaker:** But so just a follow up question.

**Speaker:** So I don't understand on what planet in the united states we would exclude family members of law enforcement from serving on an oversight committee.

**Speaker:** It starts with the assumption that you cannot be impartial, and that's ridiculous on its face. We have juries that are full of people who do the same career as people who are accused of a crime, and they render presumably impartial judgment. And so I don't understand why we're creating a system here that presumes not only that law enforcement is bad, but that their relatives are somehow contaminated as well. I think it lacks legitimacy. Again, that's just me.

**Speaker:** That's. But but, but you're not an uninformed opinion here as as a police commissioner and I just to be crystal clear about the question fully recognizing the good work of staff, the city attorney's office that we're navigating, some pieces that we can't control, including a federal judge. Well, look.

**Speaker:** But but but on the wrong side of the public here, public voted for this. And so I'm sitting here as the mayor of the city. I'm basically saying I disagree and I'm just being honest with people I disagree.

**Speaker:** Well, my question, though, is with the benefit of hindsight, in 2024, as we're facing significant need to retain and attract police officers, just building off your last points, do you think we've landed a system that is fair to police officers?

**Speaker:** I think it has impediments that are structural that could be overcome with the right people and the right personalities and people with open minds and a desire to work hard and educate and inform themselves about policing activities. I think it could work, but and that's maybe why I'm a little torqued by the judge's recent ruling, because he basically said we, as elected representatives of the people, should not be in a position to fill those slots that we should defer to the next council, whoever they are. You know, do you do you think that this system undermines the police chief's ability to manage a police department? I don't know, I couldn't say for certain one way or the other. Do you do you believe this system undermines the next bay area's ability to hold the police chief accountable? I think the decision to hold off on the appointments. Well I'm not sure I want to go that far. And I'm less focused on the judge's decision.

**Speaker:** I'm asking what we're voting on today.

**Speaker:** I am not a seer of the future, but I will say that if I were a police officer and I was being held to account in a police accountability process, I would want to make certain that that process was a legitimate process, that I had every opportunity to be heard, that my side of the case was going to be held up to the same light as those who think I did something wrong. I would want all of the facts to come out. And I feel like when the prohibition against police officers, including apparently retired police officers and law enforcement officers and apparently potentially ex military officials were excluded. And then the added step, which just seems to be adding insult to injury of excluding their families, that right off the top raises a question of legitimacy in my mind. And if I'm a police officer or I'm a union

representing a police officer and they're going to be reluctant to walk their employees into an environment that appears on its face to already be stacked against them, and then to hear on top of that that there are people who want to be on this commission that are too traumatized to even be in the same car with a police officer, adds another layer of concern to this. Now, my you know, let's we have to move forward as Heidi will tell us, we will. But I just I want the next council to be aware. I won't be here. May have to take some of this back to the voters and ask, do they really want this the way it's the. We were all you know, these things can be complicated. There can be things in it that people didn't see, didn't realize, unforeseen consequences may happen. Let's try it. But if it turns out it's not working, then it needs to be fixed.

**Speaker:** And if I may, I can speak to one question you asked commissioner Gonzalez, which is the role of this oversight system and the police chief, because of the charter transition amendment, the police chief would not be investigated by this body. It would be directly reporting to the mayor. So that that's a separate relationship. Now, just to clarify that just the chief.

**Speaker:** Well, the other piece so just related to your question is that we also had built into the process a feedback loop for the chief of police to provide their insight into the investigation done by this oversight system. So just as we Stephanie was explaining earlier today that we added in that the oversight system will review the investigations done by internal affairs. We had already put in that the police chief gets to review and provide comment and feedback on the investigation done by the oversight board, and that they'll consider those that will be part of the package that goes to the board. The panel of three board members that will actually consider the investigation and decide whether or not there's been misconduct. So at least they have some voice in in the process.



**Speaker:** No, that's very much appreciated. And thank you for the clarification. Frankly, my question is broader. You know, your next police chief, current police chief is going to be held accountable for the effectiveness of our police department. He's going to be held accountable in terms of the ability to recruit and retain police officers. He's going to be held accountable on showing progress on crime, on the streets of Portland. So to hold them responsible and accountable for only one part of this, and then to substantially reduce their say in discipline of a workforce again, i, I don't know how this works. I candidly, I can't think of any other place where that would. I mean, the mayor asked some very good questions about technical expertise, but this is actually how you manage a police department, if there's this complete separation for accountability on some pieces and being excluded and really material ways from the discipline process, heidi, where was the union on this?

**Speaker:** Well, they were our partners walking into that hearing.

**Speaker:** So where where do we think they are?

**Speaker:** Well, I know that, you know, we worked closely with them along with the community, along with the department of justice, as we as we took this code language that you had previously authorized in a form substantially similar. And we talked to them about, you know, were there changes, were there other things that we could do that they would then support this? I think understanding that the charter language had already been adopted, there was a state law that said that they couldn't contest that. And so we were trying to find a middle ground between all of us. And I think that's what we work to do was to hear all the different voices that that came to the city. Keeping in mind we had some outspoken community members who had one perspective. We had outspoken community members who had an opposite perspective and then we had the union and the department of justice with their perspectives. And I feel like the unions worked with us to find a

place where we could all agree and support not only the code amendments or, excuse me, the code package that's before you today, but also the amendments to the settlement agreement last week.

**Speaker:** Yeah. And that was my impression. Did you have more? Should we go to commissioner Ryan?

**Speaker:** I am I'm sorry to hog the mic. Please

**Speaker:** Commissioner Ryan. No. It's fine.

**Speaker:** I appreciate what I asked about ride alongs. It created such a great dialog. I almost don't want to bring this up because we've spent a lot of time trying to elegantly move forward with the independent police review employees and i, I think we finally got to a place where we knew what that transition was like. So here I go, asking the question, heidi, what does that do to what we had in motion in regards to them? Because they're employees with them, they need to understand what this process, how this decision and what we're experiencing today, how that might impact them.

**Speaker:** I do think it creates, extension of the limbo that they've been in. So extension of the limbo.

**Speaker:** Correct.

**Speaker:** So we've heard, you know, we negotiated with them part of the settlement agreement amendments back in 2022 required us to work with ipr independent police review to adopt, some language that would help support our ipr folks to stay on with us throughout this process of transition. I don't think anybody expected this to last this long, let alone get extended even further. So, you know, there are concerns about our independent police review, our director, our deputy director and all the staff that work there, as well as the citizen review committee, which is a board of volunteers, so I think I think there's probably some,

you know, we are going to have to work with them as closely as we can to support them in hopes that they will stay and continue to work with us.

**Speaker:** The goal was not having a gap in between, you know, it put us in a bad position because the settlement agreement requires us to continue our existing system until the new board is in place and can take cases, so keeping them in limbo even longer.

**Speaker:** Not only our employees, but also our volunteers who are, you know, don't have to provide provide that service to the to the city and to the community. It's a lot to ask of folks. Thank you.

**Speaker:** I realize it wasn't part of the presentation, but it was in the back of my mind. It's a good question.

**Speaker:** Thank you.

**Speaker:** Commissioner Mapps.

**Speaker:** We should probably. I think there are people who are i'll pull my question, and I know there are folks who want to testify on this too. So it might be I might have more questions after people ask, how many folks do we have signed up?

**Speaker:** We have seven people signed up.

**Speaker:** Let's hear them.

**Speaker:** First up, we have chris olson.

**Speaker:** You know how I knew this was chris olson?

**Speaker:** That's how he figures out I didn't get to see you again. Yeah. Good to see you twice. Hello. I got this. Alrighty. Well thank you for having me today, good afternoon, commissioners. Mayor, my name is chris olson. My pronouns are he, him, and I'm a candidate for Portland City Council district two. But I'm here today to express my concerns as a citizen about the current version of the oversight system

that's being proposed through the kbpa. First, it's clear that the amendments have strayed far from the original intentions of the 82% of Portland voters in 2020, our community demanded true, independent oversight of our police. Yet the current framework does not reflect that. Will allowing police to select a third of the nominating committee for the cppa fundamentally undermines its independence that the voters called for? Additionally, there is concerning clauses that exclude individuals from serving on the oversight committee due to objective bias against the police, but there is no clear framework defining what that bias looks like. Advocacy. Advocacy groups like the mental health alliance have rightly raised the alarm that this vague language could be weaponized by the police union to bar those who are inactive or active in our communities, or have been critical of police practices. This could deter people from applying, especially those who are with personal and familial experiences with law enforcement. Furthermore, the requirement for prospective board members to participate in ride alongs is unnecessary and counterproductive. It's not standard practice for oversight boards across the country. This requirement could retraumatize individuals who have experienced violence at the hands of the police and discourage many with lived experiences from joining. Even judge simon at the recent hearing questioned the necessity of these requirements, and the department of justice was unable to provide a satisfactory justification. Though I do appreciate judge simon's willingness to go on these ride alongs with potential board members as an emotional support judge. This is not going to be the adequate, is not necessary to do this. And retraumatize these individuals establishing the cppa today is a good first step, but I hope the new City Council will do a better job of reflecting. The voters will. And if elected or not, I will be back here to ensure that our board oversight board truly represents the will of the people of Portland that's free from undue influence and

the barriers that discourage participation. Thank you, thank you, and thank you for listening. I appreciate.

**Speaker:** Next up we have j. Amaechi

**Speaker:** Hello. Hello, mayor Wheeler. Commissioners, my name is j. I'm the organizing director at unite Oregon. And for decades unite Oregon has worked alongside marginalized communities, including immigrants, refugees, black indigenous people of color to advocate for the rights. We know firsthand the deep mistrust many in our communities feel towards law enforcement, stemming from a long, troubling history of discriminatory policing practices and lack of meaningful accountability, and the passage of measure 26 to 17 was a historic step towards rebuilding that trust by establishing an independent, community led oversight system with the authority to investigate cases of police misconduct. However, this current code makes a mockery of the strong, transparent and accountable system envisioned by voters. The lack of an appeals process for community members is a glaring gap. While officers are afforded multiple means of appealing disciplinary actions, the community is left without any meaningful recourse. If a case is dismissed without a full investigation. Providing an appeals process for community members would be a powerful step towards restoring trust, demonstrating a genuine commitment to ensuring that misconduct allegations are handled with the utmost rigor and impartiality. Another deeply troubling issue is the removal of the requirement for the oversight system to conduct regular reviews and audits of its operations. This would have allowed for systemic examination of incidents, rather than just focusing on individual officers. Removing this capability is a major setback for addressing the root causes of misconduct. Self-reflection and continuous improvement are essential for any accountability mechanism to remain effective and credible. Eliminating this mandate essentially gives the system a free pass to

avoid scrutinizing its own performance. Plus, it directly contradicts the city's core values the city has committed to actions to dismantle institutional and systemic racism. Yet the cpa's ability to investigate and address these systemic issues has inexplicably been taken away. This inconsistency raises serious doubts about the city's genuine commitment to the principles of anti-racism and equity that are so prominently espoused, and the inclusion of law enforcement on the nominating committee is another deeply concerning element that undermines the body's legitimacy in the eyes of the public. The perception of undue influence is unavoidable when those who are meant to be held accountable are granted a direct role in shaping the very oversight mechanisms designed to scrutinize their actions. The community deserves an accountability process that is truly free from the conflicts of interest that have plagued the old system, and anything short of a truly independent and civilian led accountability system will be seen as another empty promise, leading to yet more resentment and discord. And in regards to ride alongs, I ask you to consider something called the hawthorne effect. A well documented, widespread phenomenon that describes how people change their behaviors when they're being observed. It goes without saying that officers will alter their behavior when accompanied by oversight board member, providing a potentially skewed perspective of day to day policing. Body camera footage will provide a more comprehensive view of police work and provide a more accurate and accessible way to capture the dynamic and complex nature of policing. Without the artificial environment created by a ride along, the stakes could not be higher. So I urge you to delay the vote so you can take another look at this code and make the necessary changes for the success of the board. Thank you. Thank you.

**Speaker:** Next up is tim pitts. Welcome if you want him to go, tim was going to join online. I don't see them. Next we have debbie iona. Hi, debbie. Hi

**Speaker:** So I'm Debbie Iona, representing the League of Women Voters of Portland. I also served on the Police Accountability Commission. Today I will go over some of the specific code modifications we recommend in order to facilitate continuous improvement in police bureau policies and operations, and in the new oversight system. The code should include provisions for one systemic findings and misconduct cases that identified training equipment, policy and other issues beyond the individual officer's control. Professional Standards Division currently applies systemic findings to cases. These findings should be used by the new system as well. Two Sentinel Event Reviews are inclusive non-blaming root cause analysis of undesirable events involving the police that aim to avoid similar harmful events in the future. Three performance reviews of the new accountability system should be included to ensure it performs effectively over time. The draft code calls for a minimum of 11 board members to participate in deadly force cases, while police review boards have seven panelists. Investigative files on these cases can be extremely lengthy and are required reading. We are concerned that tying up so many in time consuming preparation risks, board member fatigue and resignations. The code should maintain our current policy of seven panel members in deadly force cases in order to promote trust in the new accountability system, the code should require that all complaints involving community members go to the OCPA. For years, we have heard that individuals who believe police have harmed them do not trust a system in which the police investigate their cases. Furthermore removing the requirement for law enforcement representatives on the nominating committee will help avoid doubts the public may have about board member selection. The draft code appears to allow assignment of a complaint navigator only in cases where there will be a full investigation in the interest of providing support to all complainants, regardless of whether their case receives a full investigation,

the city should make it clear in the code that a navigator will be provided to all at the start of the process, as is the case in our current system, complainants should have the right to appeal findings in their cases. Police will have more than one avenue for appeal. In the interest of fairness, the city should maintain that right for complainants, you will find other recommendations in our written comments. We thank the city for the modifications it has made since last fall, and encourage you to consider incorporating these and others in the final code, and also encourage you to not vote on this today and take the time to think further about this. Thank you so much.

**Speaker:** Thank you debbie.

**Speaker:** Next up we have dan handelman, Portland copwatch dan, a twofer today.

**Speaker:** Welcome.

**Speaker:** Good afternoon. Yes seeing you again today City Council I'm dan handelman I use he him pronouns. I'm with the group Portland copwatch and I'm also a former member of the police accountability commission. Pac was asked to expand on the language in the charter, using the lenses of equity and other city core values. The commission spent 20 months doing just that, researching other systems, listening to stakeholders including police, and drafting a detailed plan. We testified in November that the city attorney gutted most of our proposal. Some pieces of the plan were dependent on other parts, so various problems in the city's plan only became apparent. Upon further study, the city held public forums in December and July to take feedback. None of you are elected officials were at those meetings. That's one reason it's unreasonable that you're planning to vote on this code today. Another is that several suggestions came up in federal court last Thursday that should lead to changes in the code, but you have already submitted



it to council clerk days before the court hearing. Complaint navigators as miss ione just hinted at the current version, says that complainants will be assigned a staff person to help them navigate the system. No later than on intake of a complaint by the oversight system to conduct a full investigation. The problem is that, like in the current system, nobody knows whether the complaint will lead to a full investigation or a supervisory review. Mediation between the complainant and officer or be dismissed. The language needs to be fixed, a jurisdiction the city attorney seems fearful. The new board and its staff will not do a thorough job of investigating and making decisions on cases. The current system is failing in part because people feel they are harmed by the police. A do not trust police to investigate themselves, which happens in 90% of investigations, and b that officers are rarely held accountable. The latest ipr report shows that only 5% of allegations made by community members get sustained, versus 50% of those made by officers against other officers. There needs to be a fundamental shift in how these cases are handled. The code and charter make it clear that all decisions have to be based on current policy and law. So what if scenarios need to stop driving decisions? Pac recommended that every case involving a community member should be investigated by the board staff. Instead, the city has assigned most complaints to internal affairs, which, with no means for the community member, as you heard, to appeal the outcome, the city is also asking the board to come to council to expand its jurisdiction, even though the charter allows them to investigate cases as they see fit. Bias. The code requires board members to make reasonable decisions, including promptly, fairly, and impartially, with fair, reasonable, objective and consistent with applicable laws, rules, policies and procedures. There's no need for language about being biased for or against the police. The city tried to argue that the boulder, colorado case was different because it had to do with perception of bias instead of

objective demonstration that hardly matters if you do not define bias. Copwatch would like to see these clauses eliminated, but now they are baked into the settlement agreement. So how about a definition like this is for or against the police? Refers to board members acting in their official capacity and failing to make fair, reasonable, objective and lawful decisions. It does not include statements made about the need to hold officers accountable in general, nor statements about the proper way to respond to emergency calls or about funding responders. For example, remember the current vague criteria could be used to exclude people who show favor toward the police, not just police accountability advocates and the code sections that we're referring to and broschinski are in the written testimony that I sent you just thank you, dan.

**Speaker:** Next up, we have barbara botschinsky.

**Speaker:** Welcome. Thank you for being here.

**Speaker:** It's a very interesting discussion.

**Speaker:** We like to think so. Okay

**Speaker:**, so mayor and City Council members, thank you for listening,

**Speaker:** And all the other workers that are around doing their work, so the next part is, my name is barbara bushinsky. She her Portland copwatch strain on volunteers. The city is requiring a majority of members to vote to pass matters before the board. And at least 11 of the 21 members to review complex deadly force cases with 1000 plus page reports to read. These kinds of requirements will lead to either many meetings being canceled, as we understand happens often with the police review board and or member burnout. The will of half the city versus the ppa. Over 301,000 people voted for a board with no police members. The city found a loophole in its insisting on putting police designees on the nominating committee. In court, it was revealed that it was a result of bargaining with the police

association. Those who remember the community oversight advisory board, the precursor to the pcccp, know that trying to get police and community members to come to agreement on topics of accountability will lead to dysfunction. These police designees should be removed from section 35 dot 20 dot zero ten b two. Similarly pack a proposed not having former police officers on staff to be consistent with charter, but the city removed this provision. We don't have enough time to detail all the other changes, but here are some ideas to ensure that the public can know the allegations that the board is voting on, rather than just saying allegation one and two. If the officers are anonymous, why not state the charges on the record? Two findings should include renaming all four current categories with easy to understand names, not the two that were decided on by the deputy city attorney. As a pet peeve. Apparently, the idea of that was that some cases it looks the same. If there's not enough evidence, that's one thing. If it if the story is false, that's another thing. But they're kind of lumped in the same category and we would like them separated out panels. Reviewing non-deadly force cases should have a minimum of five members, not three. In order to ensure diversity, the section on ride alongs and community academy should be amended to include language such as or alternative educational opportunities, and the city should discuss ideas with the community, not just among themselves. And they came up with some other ones which I think are very useful and maybe even ask some police officers, how would you talk about your day? You know, you could even ask that. And okay, so we also feel that the chief should be investigated by this board. And then the mayor would make the final call. And so thank you for listening.

**Speaker:** Thank you for being here. And thank you for acknowledging the good work of the other.

**Speaker:** I know there's so many people working here.

**Speaker:** Yes. They don't get recognized often enough. Thank you. Okay

**Speaker:** Next up we have charlene and wesley. Welcome let's see. Charlene you're muted. Are you able to unmute.

**Speaker:** Can you hear me now.

**Speaker:** Yes. Loud and clear okay.

**Speaker:** Hold on okay miss charlie michelle wesley tribal descendant here on our land that's now called Oregon and Washington. So I'm a former, police accountability commissioner, as well as a racial social justice activist and was asked to be on on the commission due to my extensive lived experience. Okay. So I joined this to finally, hopefully hold police truly accountable. So I want to start out with the bias. That's all I have time for. So I'm not allowing anyone who is biased for or against police. And it is unfair and I dare say racist manipulation to prevent those of us who fight for police accountability to say black, brown, indigenous and other lives, or who have a lived experience like mine, to not be on the new oversight system or hiring committee. Yet the city found a pro-police bias loophole to allow three law enforcement members on the hiring committee that goes against the required independency from allowing any law enforcement influence. Along with that goes community trust. We are all biased to some extent, and for those of us who have been out in the streets protesting for real, police accountability that perceived us as being as me, as being anti-police bias can only lead to incorrect assumptions. Like in my case, it's really just radical truth demanding change. So bringing bias to the mix can only create more bias because by allowing police on the hiring committee. But not someone like me not allowed to be on the hiring committee or oversight board system due to my activism is in itself biased. Instead of trusting that we know how to be objective and fair, that's really all we want so that perceived bias really is just radical truth demanding change. So there can be

no racial justice, no real police accountability. By ignoring the core city values which it just seems like if you read them, you're doing everything the opposite and they're egregiously ignored. And so how can we have a system we can trust when you're doing all that? So anyway, bias needs to be removed because the powers that be are knowingly keeping the status quo pro-police bias, violence and power to continue to get away with excessive and deadly force. This new oversight system was to address racial disparities, not keep them in place. Besides being, something that's really extremely problematic is the lack of trauma informed. And I just I don't know, it's just like leaving us to have to continue this fight for real police accountability. Thank you.

**Speaker:** Thank you. Appreciate it. Thank you for your testimony.

**Speaker:** That completes testimony all right,

**Speaker:** Colleagues, any further questions? Please call the roll.

**Speaker:** Gonzales.

**Speaker:** I've had deep concerns as to what was approved in the charter in 2020 and that it whether it provides due process to Portland police officers and is, in fact a backhanded defunding of the police. I also think Portland in 2024 is a very different place than it was in the fall of 2020. I had planned to vote yes on this ordinance as a step of good faith between the city d.o.j. And stakeholders, and making this process workable. Notwithstanding some real structural challenges. Unfortunately, we operate in a world where a federal judge repeatedly ignores principles of judicial restraint that regularly platforms and capitulates to the most radical anti-police members of our community last week that judge chose to interfere in this body rightfully elected officials, good faith efforts to implement the system approved by voters. In normal times, that is problematic at a time when Portland is fighting tooth and nail every day to recover, to rebound at a time where

public safety is so central in Portlanders minds, at a time when we're at least 200 police officers short of where we need to be, I simply can't support. I vote no maps,

**Speaker:** I want to thank, all the members of, city counsel's office staff who have worked on this particular ordinance for many years. We've literally had hundreds, if not thousands of members of the public come and provide members of council with their feedback on how we can stand up a meaningful community, police oversight system. And I will tell you, folks, as an african American who has grown up in Portland, one of the whitest cities in America, I very much understand the importance of having a fair policing system and I will also tell you, I'm a single dad of two boys who are teenagers in their teenage years, kind of navigating the world on their own significantly. I very much have skin and skin in this game. I also want you to know that, I have. Well, let's let me say this. It's in Portland. It's sometimes hard to have faith and trust in your neighbors, sometimes even in your colleagues. But I have faith and trust that we've come together as a community to stand up a system that will be fair to people who look like me. Is it going to be perfect every day? No, probably not, do we ever get policing right? Do we reach the mountaintop. And there's no more work to do. And I will tell you, that is not how government works. You are never done building a city, and you will never be done building a more just society, but I will also tell you this, the work that we have done today and the proposal before us at this moment, is the most meaningful step that we can take to move towards a more perfect city and a more just city, which is why I vote I remain.

**Speaker:** I want to thank everyone who worked with the city attorney's office and the mayor's office and some of our staff who contributed to the work before us today. From the date that council referred the accountability system to the voters in 2020, I've taken very seriously the concerns raised by all members of the

community. My staff and I have watched and listened to dozens of hours of testimony, reading or watching the police accountability commission's advisory report and meetings, engaging with our city attorney's office, reading the briefs of the amici, including those from the albina ministerial alliance and the mental health alliance, and asking countless questions. Importantly, I rooted my perspective and my vote, and my direction to my staff for this process. On the September 2003 albina ministerial alliance committee on policy and training and the principles and goals that they charted out to pursue over the two decades after that, my colleagues and I are all varied in our perspectives and strategies. We have may have different ideologies, and we don't agree on everything. Yet we were able to arrive at crucial places of agreement and to strike the balance on what we voted to move forward. And like commissioner Mapps said, this isn't going to be perfect, but we need to move this forward. And I want to be clear that i, perhaps more than most, do understand the need for the community to have trust in any accountability model. But at the same time, I'm very deeply disappointed that the implementation is now delayed yet again, and the community must continue waiting. And just as a reminder, this work started in 2003 and so it's been four years since it passed, and further delay for this new system is not, I believe, what voters intended. That being said, I'm hopeful that the next City Council and mayor being sworn in in 2025 will take this matter seriously. Learn and engage or reengage on the process, the policies in place, and most importantly, take into account the history and community leadership that has led us to these code amendments. I want to thank stephanie, sarah, heidi, my staff, angela, rico, and the other staff who've continued to pivot when necessary and work hard on this all from the start. Although standing up this board will be much later than what is ideal, I do trust that the next elected leaders will have to make the right decisions. I vote yea Ryan.

**Speaker:** Thank you. Stephanie Howard, Heidi Brown, and Sarah Ames for your steady professional work to move accountability and justice forward. I know this has been a years long process with hundreds of hours spent negotiating. I hope this is not delayed further than January 2025. We know our committee community is calling for police oversight, and they've been waiting for a long time. Delay is not helpful to public safety. Delay is not helpful to community accountability. Delay seems to only be for a small sector of our population, not the 82% who supported accountability. That is balanced operationally, sound and gets results. Our first responders need operation. Our first responders need consistency and clear guidelines to ensure successful implementation. I look forward to more steps towards restorative justice, not retaliation theater, that further delays the implementation of this important work. Why did that just pop up on my screen? There you go. I will continue to focus on governance and moving the work forward. It looks like those who are blocking this progress are focused on an upcoming election, with the hopes of seeing this out of the endless planning to plan and more planning phases. Out of deep respect for Heidi Brown, Sarah Ames, and Stephanie Howard, I vote aye.

**Speaker:** Wheeler, I do want to start by recognizing the very diverse feedback that we've received throughout this process. And, it is with some chagrin, I note that I am the third mayor to serve under this settlement agreement. We will soon move into the fourth mayor under the settlement agreement. The new discipline system that's under consideration has come to the City Council several times in different phases of development over the last few years. It's been discussed in town hall meetings and most recently was the topic of a hearing in federal court. This code package, I believe, has benefited significantly from varying perspectives shared over these many efforts. While I find the judge's intentional delay of implementation of



this code package extremely troubling, our obligation to vote on the code package itself must be completed by this council in the next 18 days. In other words, we cannot pass this to a second reading and i'll come back to that in a moment. I hoped that at today's council meeting, I could offer the dedicated employees of the independent police review and our volunteers of the citizen review committee and the police review board some certainty about the duration of their continued service. Unfortunately because of judge simon's ruling, I cannot. These folks are absolutely critical to keeping our existing system on the rails. While the new system is stood up and it's not hyperbole when I say that every single day that the new system is delayed can translate into months, if not years, of additional work for them. Every new case that is opened between now and the operational start of the new system will remain in the current discipline system, which means that we at the city must do all that we can to convince these hard working employees and volunteers not to find other work, even though in the case of our employees, they know that their jobs will eventually end, it means that we at the city must also do everything we can persuade due to persuade our crc and prb volunteers to renew their terms against a backdrop of uncertainty that could result in service well into 2027. Ipr crc and prb members have continued to show up and do this difficult service despite the ambiguity of this timeline and just when we were positioned to begin to bring things into focus, the rug has been pulled out from under us. I need to also emphasize something that I hinted at a moment ago. This council has only 21 days from August 29th to adopt code language. Additionally, under the settlement agreement, the new board must begin taking cases no later than 12 months from the date that this code is adopted. Therefore, the judge's intentional delay removes four of those 12 months by preventing this duly elected council from starting that work. Now, that means the new council will have only eight months to

seed a nominating committee seat. A new board hire director and a full staff, establish operating procedures and administrative rules, conduct all of the trainings for staff and board members, and be ready to take over investigations. That's in addition to standing up the new form of government. The council committees and all of the work that will be required there. I think 12 months was an extremely tight timeline as does most of our legal staff. Even with the benefit of a council and a staff who understand these systems and are ready to act. I have significant concerns with a brand new council in a brand new form of government meeting that timeline when they are forced to start from scratch. Each one of us on this dais was elected by this community. Each one of us on this dais has been working to bring forward a system that reflects the requirements of our city charter, even though, as I made clear in my testimony, I don't support some of it. But we are obliged to uphold the will of the voters. And this is their charter. This is their decision on how they wish to be governed and so we have to bring forward a system that reflects the requirements of a city charter and accounts for the city's obligations to its employees, its residents and administration. Yet an unelected judge chose to block this entire elected body from implementing the very system that we have been a crucial part of helping to create. It's difficult not to use the word political to describe a decision that, at best ignores the will of all the voters who elected each of us to serve in our respective offices. But we must move forward. As I've done before, I want to take a moment to focus on what accountability means to me. Accountability demands appropriate consequences for misconduct. None of us, I hope, disagrees on that. But accountability is not synonymous with punishment. It's also about ensuring the process by which investigations occur is honest, fair, and able to acknowledge circumstances in which conduct is within policy, even when that acknowledgment is difficult. The charter

amendment voters approved in 2020 established a mandate for a system of accountability led by community to make these important determinations. One of my biggest concerns has been that without legitimacy, legality and fairness, this board's disciplinary decisions will not survive legal scrutiny and will be reversed in the employee arbitration process. Under that scenario, I want to be clear nobody wins the code proposal today reflects the mandates of the charter, while also establishing reasonable systems to support the board's important work. I want to thank our legal team. I know they didn't necessarily sign up for this duty. You have done a fantastic job and I appreciate you and the community. I believe, appreciates the hard work that you've put into this. So thank you, heidi. Thank you sarah. Thank you stephanie, and to the other members of the legal team who have worked diligently on this over a period of many, many months. Thank you. I vote no for the purposes of reconsideration. The motion fails. Colleagues, I'd like to move reconsideration. Can I get a second, please? Second. I have a second from commissioner matt, please call the roll on a reconsideration.

**Speaker:** Gonzalez.

**Speaker:** Actually, point of order, mr. Mayor. Just so I'm tracking what's going on.

**Speaker:** So I am voting with the majority. Since this is an emergency ordinance that requires unanimity. Commissioner Gonzalez was a no vote. Therefore he is the majority. I'm therefore voting no for procedural purposes. The procedure I wish to enact is a motion of reconsideration, which you have seconded and I appreciate that. What I intend to do with that reconsideration, once it is passed by a majority, the council is I'm going to invite legal counsel back, and I'm going to ask some more specific questions about this timeline.

**Speaker:** Is it possible to have a little bit of dialog here?

**Speaker:** Yes, of course.

**Speaker:** Commissioner Gonzalez. What you're thinking, I would be open to amending on a non emergency basis.

**Speaker:** So I would bring it over to second reading. I think that's within the 21 days in which we have to vote on this. I think it's, so I would be open to approving on a non to depending upon what legal counsel says,

**Speaker:** The, the non-majority majority could vote to remove the emergency clause carrying it to second reading, but only if that works within the timeline. That's that's the confusion. I want to clarify. All right. That I want to clear up.

**Speaker:** Sure,

**Speaker:** Call the roll on the reconsideration, please.

**Speaker:** Gonzalez.

**Speaker:** I on reconsideration, Mapps I Rubio I Ryan I Wheeler.

**Speaker:** All right. Reconsiderations on the table. Could we have staff come back, please, so, heidi, the explain the timelines to us. Could we move this to second reading and still be within the required timeline, or do we have to. Absolutely pass it today? Where are we with regard to our timelines?

**Speaker:** If you remove the emergency clause, then of course you go to second reading and then the ordinance doesn't take effect for 30 days. So under the settlement agreement, we agreed that within 20 to 21 days of the approval of the amendments to the agreement, which happened last Thursday. So within 21 days, is Thursday, September 19th, that the City Council was to consider and vote on the conforming city code provisions creating the oversight board, and then within 12 months of the council's adoption of the city code provisions, the new oversight board will be staffed and operational. And I suppose there's an argument that you've considered and voted, and somebody voted no, that we could make, I do think that the language that within 12 months of the council's adoption of the city

code provisions suggests that the concept was that within 21 days of court amending the settlement agreement, that then council would, adopt the city code provisions, which is then starts that 12 month timeline. So if you are to remove the emergency clause and then go to second reading and then have the ordinance not take effect for 30 days, we will be outside of the 21 day requirement.

**Speaker:** Is it your thinking that the us department of justice meant for us to vote on because there's clearly a majority that's willing to support this if we move it to second reading? My suspicion is we'll have a four, potentially a41 vote in favor of this ordinance. So it will have been voted on. Does that meet the threshold for the us department of justice and the requirements of the settlement agreement, or does it actually have to have been adopted?

**Speaker:** Well, mayor, I would like to either suggest we talk in executive session or at least say that, you know, I can certainly argue that you voted on it within 21 days, I think when you read the next sentence about within 12 months of the council's adoption of the city code provisions, there's a question about whether the intent was that council would adopt it within 21 days. So I think there's arguments on both sides about whether whether we meet our requirements on the settlement agreement or not.

**Speaker:** But the judge has already delayed us by several months here. That is correct. By my count, so I'm not sure what the impact would be of moving this to second reading with the clearer public understanding that we're going to support it.

**Speaker:** Well, and I mean, I think the work could progress, right, I don't know that, I don't I think it would be challenging for the judge to find us in contempt of court or in breach of the settlement agreement when he's already delaying it till January 2nd. So, I mean, from a practical perspective, I don't know that there's, a violation. I think if the united states would be disappointed in our or are not living up to what

they probably expect was the terms of the settlement agreement. But that being said, the judge, they were not happy with the judge's decision last week either. So, so I don't I don't know that there's any practical harm in your, moving this to second reading next week,

**Speaker:** Maybe I could suggest this. Why don't we move forward on that? Perhaps you could caucus with the united states. And if we need to do something on an emergency basis, we'll do it on an emergency basis. Is that an acceptable solution?

**Speaker:** Absolutely.

**Speaker:** Thank you. All right. Very good. Colleagues, I would move to remove the emergency clause from the ordinance. Second, I have a second from commissioner Mapps. Please call the roll on the amendment.

**Speaker:** Gonzalez I maps, I Rubio I Ryan I Wheeler I the amendment passes.

**Speaker:** This is the first reading of a non emergency ordinance. It moves to second reading and we are adjourned.

## **Portland City Council Meeting Closed Caption File**

**September 5, 2024 – 2:00 p.m.**

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, motions, and names of speakers are included in the official minutes.

**Speaker:** All right. Good afternoon. Everybody will go ahead and convene.

**Speaker:** It's 2:00.

**Speaker:** This is the Thursday, September 5th, 2024 session of the Portland City Council. Please call the roll.

**Speaker:** Gonzalez. Here maps here. Rubio. Here. Ryan

**Speaker:** Wheeler here. We'll hear from legal counsel on the rules of order and quorum. Good afternoon.

**Speaker:** Good afternoon. Mayor. Welcome to the Portland City Council. To testify before council in person or virtually, you must sign up in advance in the council agenda at [www.Portland.gov/council/agenda](http://www.Portland.gov/council/agenda). Information on engaging with council can be found on the clerk's county council, clerk's web page. Individuals may testify for three minutes unless the presiding officer states otherwise. Your microphone will be muted when your time is over. The presiding officer preserves order disruptive conduct such as shouting, refusing to conclude your testimony when your time is up, or interrupting others testimony or council deliberations will not be allowed. If you cause a disruption, a warning will be given. Further disruption will result in an ejection from the meeting. Anyone who fails to leave once ejected is subject to arrest for trespass. Additionally, council may take a short recess and reconvene virtually. Your testimony should address the matter being considered

when testifying, state your name for the record. Your address is not necessary. If you are a lobbyist, identify the organization you represent. Virtual testifiers should unmute themselves when the council calls your name.

**Speaker:** Thank you. Thank you. Before we jump in, I've had a number of reporters ask me about the us bank situation. I know there's some reporters hanging out hoping to hear commentary from me after council. I don't want them to have to sit through this entire session just to get a 32nd sound bite for me. So I'll take a liberty here and start with it. First of all, let me just state the obvious. It's disappointing that us bank will be vacating their current location in big pink. Nobody likes to see that. I want to be very clear with the public that we have been working through issues with both the us bank, which is the tenant, as well as unico, which is the property owner through our Portland solutions program. I've had members of my own staff personally working with them to address their needs. We have done many things in response to their suggestions, bollards, physical improvements, public safety improvements, livability improvements and the like. Nonetheless, they have still made this decision and I'm sorry to see them go. That said, I also want people to have confidence in the future of this city, and the facts are that the trends are moving in the direction that we want them to move. Crime is down significantly across the entire city, but particularly in the central city. We have a large number of new openings. In fact, new business openings are up substantially year over year, including soho house hookah, the ritz carlton and of course, the new daimler facility in our city, just to name a small handful of the new business openings. And last but not least, foot traffic is up significantly in the central city, so there are positive signs. I understand that when we lose a business, that's big news and it should be, and it's disappointing and it tells us that we can always do better. But I also don't want to lose sight of what is less covered, less visible, which is that the decisions that this



council has made, the investments we've made around public safety to reduce homelessness, to improve livability, to work with our business community on economic recovery. The trends show that we are moving in the right direction going forward. I think it would be naive to assume that we will not have other business closures, but I also want us to keep an eye on the big picture, to keep moving the ball forward and to keep speaking with a voice of optimism about the future of this city. I've only got a matter of a few short months left here. I'm going to continue to be a cheerleader for the city of Portland. I'm going to continue to point out data and information that may be unwelcome. Again, any business closure or any business moving out of the central city is a disappointment and we should treat it as such. But I also am just asking us as a community, to not lose sight of the good things that are also happening in our community, and that's the end of my statement since I made one. If anybody else wants to say anything, that's fine. You don't have to. Very good. To our first item today item. And it's our only item seven seven, seven. This is a first reading of a nonemergency ordinance, authorized grant agreements for a total allocation not to exceed \$91,916,334 from the Portland clean energy community benefits fund. This afternoon. We're going to hear about the Portland clean energy fund community responsive grants ordinance, and I'm going to just quickly hand this over to commissioner Rubio for her remarks. Since I already took up most of the space. Commissioner Rubio.

**Speaker:** Thank you, mayor. Today is an important moment for the cep program. As we learn more about the third round of community responsive grants. Pcf, which got its start from the community, passed with overwhelming support. It's the first environmental initiative led by communities of color in Oregon, and the first program of its kind in the united states. This fund is designed to reduce and remove the systemic barriers that have accompanied our dependance on fossil

fuels, while centering front line and bipoc communities as decision makers. Community responsive grants are grounded in the intent of our voters who passed this program. These grants allow for meaningful investments in programs and projects that will directly improve climate resilience for our most underserved communities. The response from our community for this round of grants far exceeded our expectations. Hundreds of impactful proposals were submitted, resulting in an increase of pcf funds allocated to these grants before us today. With each rfp of community responsive grants, staff has managed to improve and evolve the program, including putting in place a comprehensive system to vet and monitor every grant that goes out with a nod to accountability and transparency. The new public cep program dashboard dashboard has launched a public portal to track the progress and impacts of funding. Thank you sam. The pcf team, and the countless review panel members for all your hard work that you've been putting into bringing this forward. I'm excited to hear more about this round of grants and the unprecedented investment in these organizations.

**Speaker:** Thank you, commissioner danielle rivera. For the record, deputy city administrator for community and economic development as as commissioner Rubio outlined, this is an important proposal before you today that captures the third round of community responsive grants. But the first, really of the climate investment plan, this council for the last couple of years has really shaped the future of the fund through the climate investment plan and also the investments in the climate projects for the city bureaus. But the grant program is really the heart of the Portland clean energy community. Benefits fund, with significant input and partnership across our community partners piece of staff have improved the process for the community responsive grant program from application to project completion. Pcf is committed to accountability both in internal processes but also

with our grantees. And as this process moves forward, we are committed to ensuring that every dollar allocated through pcf is spent responsibly and delivers real, measurable outcomes for our communities. This means we are continuously strengthening our oversight mechanisms to track the progress and performance of projects that receive funding. Transparency is at the heart of pcf's governance model. Staff provide regular updates to our community partners and this council so we can detail successes and challenges and how we address those challenges. Grantees have clear, measurable targets and reporting requirements so that everyone can see exactly how the funds are being used. But most importantly, these are investments that are making real impacts for the city and our and our communities. And with that, i'll invite up sam barroso, pcf program manager, and eric engstrom, director of bureau of planning and sustainability.

**Speaker:** Thank you, danny, for the record, this is eric engstrom, director at the bureau of planning and sustainability. And while sam is loading the powerpoint, i'll share my screen. I'll just start by saying that our presentation presentation today will start with a reminder of how this fits into the climate investment plan, second, we'll go over the recommended portfolio for this. The third community responsive grants rfp. We'll review our accountability mechanisms and we'll show a short video highlighting some piece of beneficiaries. And you can move to the second slide. Sam, that's just what I went over. And next slide please a few key takeaways I want to stress before I turn it over to sam to describe the recommendations. As danny mentioned, this is our first round of community grants following the cip adoption with the cip now guiding our work continued recurring rounds of community grant opportunities fit into that context of there being several, piece of programs running in tandem and supporting each other. The estimated emission reductions within this particular package is roughly 85,000 metric tons. But as you know, the grants

are also intended to foster community and economic development outcomes. So that's not our only measure. Finally, in response to the higher than expected volume of quality applications, we received in this solicitation, we're recommending a slightly higher total dollar amount for this award cycle. Acknowledging the gap year that we had while we prepared the cip. And we also asked many of our applicants, where feasible, to scale back projects in order to fund a wider diversity of projects and organizations. With that, I will turn it over to sam barrasso, pcf's program manager. Good

**Speaker:** Good afternoon, mayor Wheeler. Commissioners, it's good to be here before you all, I'm going to quickly provide some context and situate the community responsive grants within the climate investment plan. And then we're going to dive into the grant review process, the awards themselves and the package, as well as what do we do after we award the grants. And then what are some lines of sight for members of the public to track our progress as we move forward? But first, as, dci oliveira mentioned, our community responsive grants are core to our origin story. And yet, when we developed the climate investment plan, which you all are all too familiar, it helped us ensure how we strategize, how it fits within the broader climate action goals of the city. So how do our strategic programs, which you all have heard, plenty about, fit within addressing our climate action goals as a city? And then how do our community responsive grants fit within that? And so the community responsive grants are, again, the core of our origin story. And these are projects and programs that are both designed and implemented by community based nonprofit organizations. Now, within the climate investment plan, you've heard a good bit about our strategic programs. We are going to continue coming before you all as we roll out our subsequent programs. But you've heard about our climate friendly schools program. You've heard about our clean energy and single

family homes, our e-bikes program, as well as our capacity building program. And now we're talking here that that red slice there to the right side of the diagram are community responsive grants. All right. So before I jump into our specific grant review process, I want to acknowledge I know that this body just yesterday adopted the city wide grant administration policy. And so I want to start by sharing that in each and every step of our review process, we go above and beyond our grant, the adopted grant administration policy. So diving in, we started our process before we jumped into our grant review with about a 75 day open solicitation period beginning in late November of 2023 and ending in early mid-February of 2024. Through that process, we received about 230 total applications, requesting about \$309 million in funding as we brought those applications in the first steps, we moved through our eligibility screening. This is making sure that the grants themselves met the minimum basic criteria that we have for the program that applications fall within the city of Portland, that they're addressing pcef relevant funding areas, that they're coming from nonprofit organizations, etc. And then we enter technical review. Now, this is where we work to ensure and review our projects to make sure they're technically feasible. What does this mean? It means that the projects can be permitted as designed. It means that the project costs are appropriate, the implementation timelines are appropriate for the given measure, and then we move the projects into a vetting process. Those that pass those steps, and we review the organization's financials. So that may be their most recent three years of audited financials or maybe any other financials that they have. And then we do reference checks to ensure that the organizations have the experience in implementing projects of similar scope and size. And so through that process, we went from about 230 applications to about 209 applications that were subsequently forwarded to our scoring panels. We had about 20 scoring panels that were

organized based on subject matter. So we had a clean energy, specifically energy efficiency and renewable energy scoring panel, workforce development scoring panel, green infrastructure panel, regenerative agriculture, and so forth. In each scoring panel, we have three members that all have subject matter expertise within that funding area. And we had a total of about 25 scoring panel members go through this process with us, and I thank them for the countless hours they participated in that, so that included 14 external reviewers where we tapped additional city partners, whether it was colleagues at the bureau of transportation, at our urban forestry team, and elsewhere, as well as 11 pcf staff members participating in that scoring, and then the scoring panel members ultimately scored on a 100 point scale. All the projects and we then fundamentally took them all together. We ranked them within their relevant funding areas and worked to develop the portfolio. Before you all. And as director engstrom mentioned, as part of that, in recognition that we did see a substantially greater volume of demand, we did assemble a portfolio that was larger than we had originally planned, but we also down scoped about a third of the proposals in order to accommodate this package here and be able to accommodate you know, the many strong proposals we did see come before us, one of the final review steps that we took within the final portfolio is making sure that any organization now we have a substantial, I would say, amount of experience. We have a number of organizations that we've currently or recently granted to. So we did screen any organization that had existing funding with us and made sure that any organization with substantial unspent, fund resources were, were ultimately not considered for the recommended portfolio. And so that brings us to the 7871 applications that are before you all today. All right. Next slide okay. So that that 71 applications or proposals represents about 65 implementation grants, six planning grants. So this is a smaller number of planning

grants. And something we're going to be revisiting as we move forward. But we did have a sufficient number of implementation grants. The total portfolio is about 92 million. That does reflect a contingency allocation of about 6% across the portfolio. And as as director engstrom mentioned, 85,000 lifetime metric tons of co2 emissions reductions. Now, as you'd expect, our largest funding area is our clean energy funding area, where we are allocating to 21 projects about \$50.2 million. And those are our larger projects, which, as you'd expect, those are our buildings focused projects where we're doing major renovations and getting into buildings and doing retrofits, that's about the average size of those grants are 2.4 million. Next is our transportation decarbonization funding area. Our newest funding area. Average size. There is about 880,000, but the total allocation is 12.3 million. We have a substantial amount of fleet electrification, but also active transportation programing and other cycling focused activities in there. And then we've got our regenerative agriculture, green infrastructure funding area. Average size is about 680,000. And last but not least, our workforce development funding area, which average size is 970,000. We got another funding area, which is our other catchall, and that's largely focused on materials reuse projects as well as behavior change campaigns. Now, as as we step back and we look at the distribution of projects as you'd expect, many of our projects are certainly city wide, but then there are many projects that are also focused on distinct geographic areas because we're we're focused on a given building or whatnot. And here what I want to acknowledge is that we do see a pattern of greater awards in northeast Portland, and it's something that we will be doing our homework on to understand why. And pivot accordingly. And it's something we expect to incorporate changes in our next rfp or rfp for, to better balance that distribution of funding. These I expect these sorts of changes would be significant. And we will be releasing these as part of our public

comment process later this fall in gearing up for our next request for proposals. So pivoting to now that we've got the awards before you all, and if these awards and get accepted, what do we do as we move forward and how do we manage the grants to ensure accountability? Measurement accountability, transparency and ensure the public gets to understand what we are doing with these resources. So first is our transparency. And we'll talk about that in a minute. But we want to ensure that folks have visibility into the investments and the outcomes of the program. We also want to talk about our measurement, what are our key metrics. And we'll i'll share with you all in a little bit our dashboard, which is our first beta version, and how it captures the progress we're making in our investments across our funding areas. We'll talk about our reporting. What do we do on an individual grantee basis to ensure that folks are accountable to the outcomes they've committed to, and are spending the resources on what we've awarded them to spend their resources on? And last, but not least, our evaluation broadly to ensure how are we measuring as a whole how we're doing as we track towards the overall program goals? And what do we need to do to improve those? So first, I will start with this is the first round of our grants that are launched and going to be administered in the city's web grants application, grants management portal. As you know, this is the goal of the city wide grants administration policy for all the grants to be managed within this. And we're excited that this will be our first, round that will be fully both, fully. The applications were both taken in via web grants and will be fully managed via web grants, and will ultimately give both the city and our city partners really line of sight into all the grants that we're able to do. And so this was an important feat, and I just want to give a lot of kudos to our staff, our our business systems analyst trey sorkin, and others who helped develop and build out the web grants platform for us. But importantly, what do we do as we once we've



awarded these grants, we do a lot of quarterly reporting. So our disbursement of advances as well as reimbursements are on a quarterly basis. All grants are required to complete quarterly project reporting and submit payment documentation and backing all the backing documents. The payment documentation for all the expenses are reviewed by multiple staff, including our finance staff and our project managers. Within that quarterly reporting, we do require reporting for all the milestones as well as extensive data collection that is relevant to each funding area. And then importantly, we capture our workforce and contractor utilization. You know, there's a lot about the benefits these projects have, but it's equally who are getting to benefit from these jobs, whether we're talking about the private sector contractors or our workforce. And so that is all part of it. And I will just acknowledge our reporting is robust, and it is there to ensure that we get appropriate information to make sure we're meeting all of pcef objectives. And at times that does create friction, because that is an important part. Before we disperse our funds and then across our different funding areas, we have a variety of verification and quality assurance. And so we have a range of third party contracted entities that go forth and follow up on our projects. So when we do a retrofit of a building, a home or plant a tree, we have third party contractors that go out to ensure that we've done it appropriately, done it to appropriate standards so that there's durability to ensure we meet our emissions reductions goals, as well as provide a third party set of eyes to make sure that we're not creating any harms. And that leads us to the dashboard. This is our first beta dashboard that has been developed in power bi. A big kudos to vania fong on our team and elizabeth stover that's worked on this to make sure that folks are able to we're able to take all of the numerous outcomes of our program and capture them, whether it's our climate benefits, our workforce development outcomes, our

contractor and workforce diversity outcomes, or community engagement. And so that is captured here. This does lag about a quarter behind our quarterly reporting, inputs. But this is now publicly accessible. And I know your chiefs of staff have access to the powerpoint with the dashboard. And we encourage folks, once they've had a chance to take it, a run through it to check in with us if they've got questions. But we're excited about this, and we know that this is our first iteration, and we expect to be iterating and updating this in the years to come. But consider this our beta version as we figure out how to get all our data appropriately in here. And with that, I'm getting to wrapping up my points here, and I'll just turn it over to a video of one of our project beneficiaries, one of our grantees, and their project beneficiaries. And a big kudos to community energy project, which has received grants from us both in this round and prior rounds. So I'm going to turn it over to this, see if it comes through.

**Speaker:** My name is Cayetano Rodriguez. I'm originally from Mexico and I've owned this place for about ten years now. I have a really old furnace, so now it broke. I heard about this program through one of my neighbors. It was easy to work with them, you know, and so now things are getting done. The step right now it's upgrading my water heaters, which is more sustainable. And then my AC unit and the furnace as well. It's quicker than I expected. Good response. So I'll definitely, definitely recommend it. Yep.

**Speaker:** I'm Nancy Richardson and this is my husband Glenn, and we've owned this home since the fall of 1999. Before the energy project came along, our house was not insulated and we had really inefficient wall heaters. Our electricity bill was huge. We were cold in the winter. On really hot days. We were just kind of barely making it. It's difficult when the weather is extreme, either in the summer or the winter. The community energy project folks were so professional and so helpful and non-

judgmental. We understood to us there probably wouldn't be any out of pocket costs. The value of what the work appliances and equipment and things that were being installed were thousands and thousands of dollars. We're saving over \$1,000 a year.

**Speaker:** Hola! Mi nombre is gabriel anzalone con el frio? La casa latino cobija porque si a la casa.

**Speaker:** Pues notado muchos cambios porque la pusieron la insulation por dentro pusieron los sierras y el capitan mucha diferencia. Muy bien. Porque el mas mas seguro mas con con los cambios quisieran bien. Todos su trabajo. Qué hacer si nos ayuda mucho en los pueblos de la luz bajado mucho de mi vida. Pues me mucho gusto los pusieron porque si los alamos por ciento.

**Speaker:** My name is bernice lopez dorsey and I am the co-founder owner of home energy live performance group. Our mission is to create a better world, one green home at a time. There is a lot of homes in the Portland metro area that has asbestos and radon, and so there is those health issues as well. In our priority population, the biggest, biggest ones are the ones that cost the most, which is heating and cooling and roofing. Community energy project has been really a great supporter of help group. They are fantastic to work with. They know our community, they know their needs. They are very experienced in trying to bridge different fundings. They have the resources. So it's been a fantastic experience. One thing that you see in the Portland metro area is like, we're all colleagues. We don't feel like we're really competing against each other, that there is a lot of community. That's part of why it keeps me going. This was one of the best things that's ever happened to our house and to us.

**Speaker:** And I would say these people are honest and professional. They know what they're doing. Just 100% confidence in the project.

**Speaker:** Okay. I want to just thank community energy project because they've been great partners through all of this for allowing us to present that video of beneficiaries. We don't oftentimes get to do that. So, with that, I will turn it over back to this council for questions and discussion. Colleagues let me get back to my participant screen.

**Speaker:** Mr. Mayor, i'll have some questions, but I think there might be public testimony on this.

**Speaker:** Yeah, I can't see my screen anymore,

**Speaker:** Do we have public testimony?

**Speaker:** We do. We have seven people signed up. All right, why don't we do that? Our first testifier is darlene sherman. Darlene is online.

**Speaker:** Hi, darlene. Welcome. I don't I was trying to get. It's fixed now.

**Speaker:** Okay.

**Speaker:** This was operator error.

**Speaker:** Okay. Can you hear me now?

**Speaker:** Loud and clear. Welcome

**Speaker:** Okay, well, maybe you can even see me. Yep. Okay. All right. Darlene sherman, I'm a volunteer with the 350 pdx. Climate policy team. And, I'm very pleased to support these projects, I've seen what has happened over time. And now that we're seeing projects that are part of the climate action plan, and because organizations have had the work before in terms of capacity building, I believe that the projects that are being proposed today are ones that are having will have a big impact in reducing greenhouse gases and in supporting the our vulnerable populations in Portland. So I'm really pleased with the projects that have been put forward in this, some of the, projects, we're seeing more now, transportation decarbonization projects, which I think are really important given the high

percentage of greenhouse gases, maybe 41% in the county from that. And, like to highlight one of the projects that are included, which is, central city concern, which, has poor clients and housing for many of our low income and, vulnerable populations as they, decarbonization pilot project for their fleet that they use for service servicing their clients. Was very pleased to see that. I also like the resiliency hub. One that was highlighted is that a missionary baptist church. And I think that in our low income neighborhoods, it's hard to have public buildings that can serve as resiliency hubs. But churches and schools are really, embedded in the communities. And so I think that's a really good direction to go for energy efficiency projects, very pleased to see the, projects for the habitat for humanity in two different communities. So it will provide, really high level of energy efficiency in 72 homes serving 72 low income families. And in general, their population is 82% of bipoc communities. So it's really addressing the populations and other projects that will be for homeowners and addressing heat pumps in the neighborhood. So thank you very much. Thank you.

**Speaker:** Next we have yasser wassef. Oh, great.

**Speaker:** Good afternoon, mayor Wheeler. And commissioners, my name is yashar wassef. I use he him pronouns. I serve as the executive director of friends of trees. I'm honored to speak in support of the Portland clean energy fund's latest slate of community grants, a program that I believe is transformative, transformational for our city. These grants are helping grassroots organizations like friends of trees address climate challenges in a way that directly benefits all communities. Friends of trees is honored to be awarded two grants from pcf, which will help us better care for the trees we plant and deepen our community impact. Our organization has long recognized the growing need for increased tree establishment care, particularly in the face of our changing climate. It's no secret that young trees are

more vulnerable now than ever before, and without proper care and community mobilization, many won't survive. Are increasingly hot and dry summers, exemplified by today's extreme heat. One of our award grants is focused on tree care in north, southeast and east Portland. With this support, we will provide two years of mulching and three years of watering for up to 450 young trees. In addition, we will be conducting structural pruning for up to 1400 trees to help them grow strong, healthy and to better shield them from damage during ice storms. This is essential work. Trees are a critical part of our urban infrastructure, providing shade, reducing heat and improving air quality. But without proper care, they cannot provide these benefits. But tree care isn't just about the trees themselves either. This grant will allow us to engage over 110 bipoc youth through our ecosystem of community partnerships, offering meaningful educational opportunities. We're also excited to tap our adult urban forestry workforce development program, which will provide internships that offer real world experience in tree care and career pathways in urban forestry. This tree care programing will also reduce instances of residents improperly pruning trees and foregoing critical maintenance. In all, we anticipate over 1000 community members receiving education on tree care through this opportunity. After 35 years of deep engagement with Portland's communities, we've learned that many within low income and bipoc populations are hesitant to accept trees for their homes and neighborhoods. This is often due to the real and perceived cost of long term tree care. Pcef funding allows us to reduce these barriers and enable us to show up for communities in ways that make tree planting and maintenance more accessible, particularly for those who historically have been underserved by urban greening programs. Our second award grant focuses on a different aspect of our work that is ensuring that these trees can show up with integrity when it comes to our

environmental impact, pcf is generally supported supported the purchase of two electric trucks for our organizations. These trucks will be used for tree watering, transporting staff, volunteers and interns, and for moving trees and materials to and from community tree planting events. The timing couldn't be better. Our trucks are very old. I imagine that many other organizations with grants today have equally compelling stories, and I encourage you to approve today's slate of thank you, courtney hamilton.

**Speaker:** Welcome.

**Speaker:** Thanks for being here. Thanks for having me.

**Speaker:** Hello.

**Speaker:** Okay. I am courtney hamilton. I am the worksource workforce development coordinator with Oregon tradeswomen, yeah. And thank you for having us here today, since our beginning in 1989, our mission has been to transform women's lives by building community and economic independence through empowerment, training, career education, advocacy and leadership development, and skilled trades. We have always been rooted in community and trades, women workers, labor, and other community based organizations, and our pre-apprenticeship program has become a national model for supporting women and gender minorities into pre-apprenticeship and journey careers. The majority of our graduates from our pre-apprenticeship program, almost 2000 to date, go into the registered apprenticeship programs. Many have risen to leadership positions in their unions, apprenticeship programs or in the construction companies that they work for. We have been breaking barriers for more than 25 years with the support of pcef, we started the pcef fund. We will be able to continue breaking these barriers now and into the future. Oregon trades women's work in the community is the reason why Oregon has more than twice the number of female apprentices in

this high wage construction, 8.8% of that, 8.8. 8% in the national average is around 3.9%, with the pcef support, Oregon trades women will plan to expand our pre-apprenticeship pre-apprenticeship program and have focused on recruiting, training and career assistance for black women and other bipoc women, including transgender and non-binary people, so that as they enter this registered apprenticeship in the high wage making, high wages and high skilled construction trades, the need for economic recovery post covid equity and justice and climate. Climate solutions continues to grow. The green economy is leading in the new opportunities and creating pathways to success as a whole. Women and especially women of color have been overlooked in these occupations and we are looking to change that, this has meant that we have not had the opportunity to be included in highly skilled careers in construction utility systems. Et cetera. And we're hoping to use this grant in that funding to change that, the benefit of this, the majority of our students will be bipoc women. And but there will be a focus on black women as we do our outreach and funding to really target those areas. Over three years, our project over three years of our project, about 300 women, including transgender, non-binary and other gender minorities will enter pre-apprenticeship programs, program trainings, and at least 80% will complete them. And of that, 80%, 80% will become employed in the skilled trades. The industry will also benefit from the addition to the diverse workforce into the construction and clean energy and climate. Energy. Climate change industry and the community will benefit. Excuse me from by not only having more clean energy workers available, but the income that we will put back into the community and hopefully help change some generational poverty and address those areas of concern. Thank you, thank you.

**Speaker:** Appreciate it. You had one second to spare.

**Speaker:** I did my thought.



**Speaker:** Margaret salazar.

**Speaker:** Hi, margaret. Welcome

**Speaker:** Good afternoon, mr. Mayor. Members of the council. For the record, my name is margaret salazar and I'm ceo of reach community development. For more than 40 years, reach has provided safe and stable, affordable housing across the Portland metro region, serving as a lifeline for community members that have experienced systemic inequities that have blocked their access to housing. We also have leadership throughout our history around green and energy efficiency solutions to make sure that we are good stewards of the built environment by creating energy efficiency solutions for our properties. We are thrilled to be here with you today to talk about the pcef investment that will create critical improvements in three properties in northeast Portland. This grant will help us make key energy efficiency improvements in three properties albina corner, ellen fremont plaza, and walnut park. These buildings were all constructed before the year 2000 and are facing obsolescence. They are home to 155 low income residents who have limited housing opportunities, and we're excited about the pcef investment because we believe it will make an impact in three key areas. First is reducing energy costs. We believe that the impact of the pcef grant and the repairs that we will be able to make at the properties will result in an estimated 45% reduction in energy consumption at these properties. To put that in perspective, the average reach household annual income is approximately \$19,000 a year, and these energy cost reductions will be significant, saving the average household approximately \$400 a year in energy costs. That's real money in the pockets of low income households that they can use for necessities such as groceries, child care, and health care. The second major impact beyond energy costs is improved habitability and living conditions. We know that our properties are obsolete and

they need some upgrades to bring them into today's world, especially on days like today where we're experiencing severe heat events. We have challenges where residents are facing habitability and air quality issues, and these investments from pcef will allow us to make critical improvements that will have a direct impact on indoor air quality and habitability. And the health and safety of our residents. And then the final impact of these funds is really about the long view. We will be able to make critical improvements in properties to bring them up to date, to today's realities that will allow us to be good stewards for tomorrow of these affordable housing resources that we know are so critical in our community. We look forward to partnering with you to implement this grant, and we thank you for your leadership in this program. And on Portland's ambitious climate goals. Thank you. Thank you.

**Speaker:** Jim biko. Hi, jim.

**Speaker:** My name is jim falaniko with community energy project. I just want to talk about, our, work that we've done with pcf two and sort of the impact pcf two has had on the communities that we serve. Our piece of two grant was to retrofit 250 homes, single family homes over the next five years. And we've currently at 100 houses that we've bid out or at work completed. This work has impact. It has lowered our client's energy bills and lowered their energy bill burden on average, 40% energy reduction in in the homes that we are serving and as that video attested, \$1,000 on average per year in energy savings. In addition to that, we are providing electrification and cooling in homes. So, people are able to live in their houses more comfortably. Many of our clients don't even have heat when we get into their houses. Living without heat for over eight years, using blankets or space heaters to heat their house and so we are transforming our clients lives. In addition to that, there is impact in labor we have generated so far over 10,000 hours of

boots on the ground, labor that is primarily minority. Workers that are doing this type of work. And we're generating jobs that will, you know, dollars that will ripple out amongst that community. This is just one organization. And so with pcf three, we're able to expand that. And serve additional clients in the market and enable us to work with other community based organizations and other contractors to deliver this and continue to grow. Thank you. Thank you. Thank you.

**Speaker:** David haslam.

**Speaker:** Hi, david, thanks for being here.

**Speaker:** Thank you, mr. Mayor. And members of the council. Thank you for the opportunity to testify in favor of this slate of proposals. My name is david haslam.

**Speaker:** I'm the executive director of earth advantage. We're a nonprofit, based right here in downtown Portland. We've been here, moved in from the burbs in 2010, and we're not planning on going anywhere out of downtown Portland, thank you very much. So, our mission is to advance an informed and humane housing market. And we do that by acknowledging that the housing that we have has impacts on the climate. Ghgs, for the most part. Right. We also do it by thinking that, hey, the climate is already having impacts on people's housing. And for us, that really came home and we decided that we really needed to make sure that we were focused on equitable housing solutions and not just working with developers. Even though we've supported groups like reach in the past with third party certification and that's why you probably know us as the manager of the cooling Portland program, and also we do quality assurance for the sf residential projects because we really feel like we can't afford to leave any household behind when it comes to dealing with the problems of climate change. But here today, I want to tell you about the proposals that we put in there for workforce development, because even though we work all across the country on these other issues, we were

chartered as an educational nonprofit here in Oregon to educate the building industry. And for many years we did that for builders and architects and realtors and appraisers and lenders. But now we've been for years supporting folks like Oregon tradeswomen who have pre-apprenticeship programs and what you heard was, hey, the good jobs are ones that are union jobs. They pay great wages, they have great benefits. But some of the folks that go through those programs also want to work in the residential space, which is traditionally not union jobs. And we have a project called the hero academy home energy retrofit occupations academy. We wanted to make this happen for a long time because working with those folks, with the pre-apprenticeship programs, we were able to see, it's hard to get the folks that are interested in the residential jobs connected with the small employers that want to hire them. I know I started as a laborer in this industry 30 years ago, schlepping plywood and two by fours around job sites, before I got promoted to this job, it happened just like that. But in this case, we're going to help folks. We're providing subsidized subsidies to the employers. We're providing training to the employers, training to the individuals. And this hero academy, working with many, many partners in the community, is going to help make that linkage. So that it's easier for those folks to make that jump, because i'll say it felt hard at the time for me to make that jump. Having never worked in the construction industry to get into it and get those jobs and move up. But you know, I was an athletic, relatively outgoing white guy and that's who all my bosses were. And so this is really important. And I'm really encourage you to pass all these, this slate because we need this in order to make the jobs happen for the people that want them. Thank you very much.

**Speaker:** Thank you. Appreciate you being here.

**Speaker:** Babs fanelli, babs is online.

**Speaker:** Welcome.

**Speaker:** Hi, everybody. Can you hear me? Okay.

**Speaker:** Yep. And we see you.

**Speaker:** Thank you.

**Speaker:** So I am babs fanelli, 76 year old lifelong Portland resident. And as I've said before, I love my city of roses, so my testimony won't be very long because what I can say now, going last is I second, third and say amen to all those who have gone before me. I am just overwhelmed with pride as I listen to the folks before me describe all these amazing projects that are happening right here, right now. And mayor Wheeler, commissioners, thank you for having supported, the strategic proposals that pcef has put before you, within the last few months. So 110% supporting what's before you today. Okay so, in conclusion, I will hark back to governor tom mccall. Many of you know, even though you might not have been, an adult at the time, he served from the late 60s to the mid 70s, and our governor, tom mccall, was an environmental champion before that phrase was even coined. And in the years after he left office in 1974, he continued to fight for the environment. He loved Oregon and was 120% committed to preserving all of our wonderful natural resources. So, in conclusion, I will say that I know that if tom mccall were alive today, he would be here imploring you to support pcf's strategic proposal that's in front of you today. Thank you so much.

**Speaker:** Thank you. Appreciate it.

**Speaker:** That concludes testimony.

**Speaker:** All right. Very good colleagues, questions. Commissioner Mapps.

**Speaker:** Just a couple of quick questions for staff.

**Speaker:** First, let me start out by really offering my congratulations and appreciation to sam doney and commissioner Rubio for stewarding this program

over the last several years. I am generally really encouraged to see how pcef has evolved during my time on council, I have maybe two broad questions and some feedback, but i'll also say, most of the grants that are being proposed look worthy. I am glad to support them and expect to when this comes back to council. I have some broader questions, though, about how pcef intersects with our larger climate goals, so in terms my first question, it's not really a question. It's some feedback. Really glad to see the pcef dashboard come online, I think that's very helpful, especially for current and future lawmakers or policymakers, but also provide a little bit of feedback and things I hope to see from the dashboard moving forward. In the climate space, I largely think of our investments as falling into two buckets, one, trying to reduce the amount of carbon that we release into the air, and the other, being really focused on resiliency, I see a great tab, which gives us some, leverage over how much carbon we put out in the air. That's very helpful. But we don't really have a tab that helps us think about climate resiliency. And frankly, I think that's a space that we broadly need to think about more deeply, in this space, you know, frankly, when I take a look at these specific grants, it seems like a lot of them are really focused in on the resiliency side as opposed to trying to get the carbon out. And that can be fine. But I do hope that we can get a little bit more precise in terms of what we're what our specific goals are and the resiliency space and how we're doing in terms of moving towards those goals. So that's feedback number one, and the question, that I'd like to ask is, you know, this is a major investment. Let's focus in on the carbon piece, you know, it's our goal to cut the amount of carbon in the air in half compared to what it was in 1990, these are major investments, donnie. Sam or someone else. Can you tell us, how the \$90 million that we're spending today, how close does that get us toward or towards achieving that goal?

**Speaker:** This is a it's a this is a wonderful question, commissioner Mapps. And it's, you know, as we think about the, the broader pie and I'm going to look to director oliveira in case he wants to chime in first before I go in. Okay. You know, we can I think we can help contextualize it. I think the hard challenge is that the scale of investment needed to get to even our 2030 goals, which you spoke to there, and then subsequently our net zero, 20, 50 goals. Does and is going to be well beyond what pcef is going to be able to contribute. What we can take and attempt to do is to start parsing out a little bit more closely, and work with our climate staff within the bureau of planning and sustainability to tease out the broader subsectors, because, you know, when we come before you all in the past, we've spoken to when we think about the relevant pcef funding areas, the things that we generally do in terms of efficiency upgrades and buildings, renewable energy upgrades, you know, ev charging stations. And so forth. The broader need is about \$50 billion going through our 2050 and peaceful, always still, even even at the substantial scale of 200 million. And so a year will still be a small part of that. It will be a small sliver. So we can help try to contextualize that more as part of our subsequent visits to you all. But in a in a diagram, it will always look very small just because that need is still pretty large, and it is going to take partners that are our utilities, it will take other policy actions that I know our city and our bureaus are working on, and it will take several other levers beyond just these investments to, to drive at that,

**Speaker:** Thank you. And that that's my kind of read of the numbers too. I see don. Well, here, donnie, let me say something and then i'll let you jump in. If I understand where we're at in terms of our, carbon goals. You know, we're trying to remove about two point another 2.5 million. Metric tons of carbon from the air in the next, six years. And I think the 85,000 metric tons that we are going to get out of the air with the \$91 million we're spending here, gets us to about three, takes care

of about three, and a half percent of that. That makes me that makes me awfully concerned. You know, this is one of our major investments in the climate space, and it gets us, you know, about 3% of where we hope to go in the next, six years or not even. Yeah, six years or so, for people who are currently sitting on council and for people who are likely to sit on council in the future, can you help us think about this space and that kind of paradox? It seems like we have, a scale problem. Either we have a scale problem or we're we need to become more efficient in how we think about the return on investment for every dollar we spend and how much carbon we get out of the air.

**Speaker:** Great question, commissioner don oliveira, for the record. So a couple of thoughts. First, I just want to reiterate, something that's been said, a couple of times. The Portland clean energy fund was never designed to meet all the city's climate goals. Right. It was originally intended to provide an avenue for resources to get into our communities, for resiliency and to spur, you know, frankly, innovation as well. When we talk about the major reduction goals that we have as a city, but frankly, as a state and, and globally, we're talking about systemic shifts that are necessary that that funds like pcef, even if they existed across the country, are not going to totally shift. We need we need absolute, you know, decarbonization of our fuels, our grids, and those are systemic issues. So when we talk about what are the levers that this, this council and future councils can pull to make those changes? It's working with our partners at the state, working with, with federal agencies to really shift how we're fueling our homes and our vehicles. That's going to be the big change. What pzev can do is it can augment that with accelerated investments in our homes and our buildings, providing workforce dollars for our future. You know, green tech, green green economy, those are real investments. I don't want to minimize them. But the big maneuvers that we're looking at, both in our city, but



frankly, at the state are just going to require, you know, multi-jurisdictional and multi governmental investments that are much bigger than us going to cover, second point, if I don't mind, because you're absolutely right. Part of the reason why the dashboard is so important and the accountability components is, yes, we want to be efficient with how we're investing our dollars. And as we learn more, we'll put those the dollars that are working best. You know, we'll put more dollars back to work in that way,

**Speaker:** Well, thank you very much,

**Speaker:** A lot of that makes sense to me. And I will share with my colleagues on council and for everyone watching at home. One of my one of the things I'm thinking about awfully hard at the moment and I think, everyone in the city should be thinking about is how we meet our climate goals. We have a very specific goal for six years out, and frankly, I'm concerned about our ability to achieve that. We have a lot of work. You know, we're making a big investment here, and all of that looks really good. But if we're going to take, our climate, especially our carbon reduction goals, seriously, some more work needs to be done. And by more work, i, we have about 97% of the work that still is on the table, but I appreciate the dialog. And, mr. Mayor, i'll hand the mic back to you.

**Speaker:** Very good. Further questions, colleagues. All right, commissioner Rubio, did you have a question? Good. Thank you.

**Speaker:** Great presentation.

**Speaker:** We appreciate everybody who testified.

**Speaker:** There's nothing to vote on today. This is a first reading of a nonemergency ordinance. It moves to second reading and we are adjourned. Thank you, thank you, thank you.