



## December 4, 2024 Council Agenda

5794

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, December 4, 2024 9:30 am

---

**Session Status:** Recessed

**Council in Attendance:** Former Mayor Ted Wheeler

Councilor Dan Ryan

Former Commissioner Rene Gonzalez

Former Commissioner Mingus Mapps

Council convened at 10:01 a.m.

Mayor Wheeler presided.

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

Item 1036 was pulled from the consent agenda and on a Y-4 roll call (Rubio absent) the balance of the consent agenda was approved.

Council recessed at 10:48 a.m. and reconvened at 10:52 a.m.

Council recessed at 1:08 p.m.

### Public Communications

1021

[Request of Michelle Milla to address Council regarding safety concerns in lower Northwest stadium neighborhood](#) (Public Communication)

**Document number:** 1021-2024

**Council action:** Placed on File

1022

[Request of David Gray to address Council regarding safety concerns in public safety in the stadium neighborhood](#) (Public Communication)

**Document number:** 1022-2024

**Council action:** Placed on File

1023

[Request of Kevin Peter Colt to address Council regarding drugs in the stadium neighborhood](#) (Public Communication)

Document number: 1023-2024

Council action: Placed on File

1024

[Request of James Lee to address Council regarding our musical future part two](#) (Public Communication)

Document number: 1024-2024

Council action: Placed on File

1025

[Request of Laura Curry to address Council regarding boulder placements on NW 16th Ave between Couch and Davis streets](#) (Public Communication)

Document number: 1025-2024

Council action: Placed on File

## Time Certain

1026

[Adopt the North Portland in Motion Plan](#) (Resolution)

Resolution number: 37688

Introduced by: Former Mayor Ted Wheeler

City department: Transportation

Time certain: 9:45 am

Time requested: 30 minutes

Council action: Adopted

**Aye (4):** Mingus Mapps, Ryan, Rene Gonzalez, Ted Wheeler

**Absent (1):** Carmen Rubio

1027

[\\*Declare 3.4 acres at Washington Park formerly used by the Portland Children's Museum as surplus property and authorize Portland Parks and Recreation to take all actions necessary to dispose of the property through sale to Metro for \\$3 million](#) (Emergency Ordinance)

**Ordinance number:** 191987

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Parks & Recreation

**Time certain:** 10:15 am

**Time requested:** 10 minutes

**Council action:** Passed

**Aye (4):** Mingus Mapps, Ryan, Rene Gonzalez, Ted Wheeler

**Absent (1):** Carmen Rubio

1028

[Adopt the Montgomery Park Area Plan including amendments to the Comprehensive Plan, Comprehensive Plan Map, Zoning Map, Zoning Code, Citywide Design Guidelines, and related amendments to the Guild's Lake Industrial Sanctuary and Northwest District plans \(amend Code Title 33\)](#) (Ordinance)

**Ordinance number:** 192000

**Introduced by:** Former Mayor Ted Wheeler

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

**Time certain:** 10:25 am

**Time requested:** 30 minutes (1 of 3)

Previous agenda item 987.

View written testimony on [Map App](#). Written record closed December 3, 2024 at 5:00 p.m.

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

Motion to change the district plan name from Vaughn-Nicolai to York: Moved by Rubio and seconded by Ryan. (Aye (4) - Mapps, Ryan, Gonzalez, Wheeler; Absent (1) - Rubio)

Motion to amend Amendment 9 to reflect the Code changes: Moved by Wheeler and seconded by Mapps. (Aye (4) - Mapps, Ryan, Gonzalez, Wheeler; Absent (1) - Rubio)

Motion to move Amendments 2-9, including amendments in response to change in public benefits agreement participants: Moved by Wheeler and seconded by Rubio. (Aye (4) - Mapps, Ryan, Gonzalez, Wheeler; Absent (1) - Rubio)

Motion to vote on the package as amended to replace the documents with the as amended Montgomery Park Area Plan ordinance, Exhibit A and Exhibit B: Moved by Wheeler and seconded by Mapps. (Aye (4) - Mapps, Ryan, Gonzalez, Wheeler; Absent (1) - Rubio)

Passed to second reading as amended December 11, 2024 at 10:30 a.m. time certain

1029

[Adopt the Locally Preferred Alternative for the Montgomery Park Transit Project](#) (Resolution)

**Resolution number:** 37692

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Transportation

**Time certain:** 10:25 am

**Time requested:** 30 minutes (2 of 3)

Previous agenda item 988.

Written record closed December 3, 2024 at 5:00 p.m.

**Council action:** Continued

Continued to December 11, 2024 at 10:30 a.m. time certain

1030

[Authorize Agreement between the City, Portland Streetcar Inc, and 1535-A1 LLC for public benefits related to the Montgomery Park Area Plan](#) (Ordinance)

**Ordinance number:** 192001

**Introduced by:** Former Mayor Ted Wheeler

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

**Time certain:** 10:25 am

**Time requested:** 30 minutes (3 of 3)

Previous agenda item 1019.

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

Motion to amend Exhibit A to add the following to Subsection 2.3.2: "For informational purposes, the report will include the following additional data: 1) the racial breakdown of employees holding the newly created middle-wage jobs in an anonymized manner and to the extent individual employees elect to disclose race or ethnicity or the employer otherwise has the information, and 2) information related to whether the businesses that created the new middle-wage jobs are new business to the city or have relocated from within the city, and if so, from where they relocated. This data will be collected through surveys or third-party sources as available.": Moved by Ryan and seconded by Gonzalez. (Aye (4) - Mapps, Ryan, Gonzalez, Wheeler; Absent (1) - Rubio)

Motion to amend Exhibit A (the public benefits agreement) to change the name of the Plan District to the York Plan District, change the name of the York Work Group to the York Collective, and to add Exhibit C to the PBA: Moved by Wheeler and seconded by Mapps. (Aye (4) - Mapps, Ryan, Gonzalez, Wheeler; Absent (1) - Rubio)

Passed to second reading as amended December 11, 2024 at 10:30 a.m. time certain

## Consent Agenda

1031

[Appoint and reappoint members to the Arts Access Fund Oversight Committee for terms to expire December 31, 2028](#) (Report)

**Document number:** 1031-2024

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Arts & Culture

**Council action:** Confirmed

**Aye (4):** Mingus Mapps, Ryan, Rene Gonzalez, Ted Wheeler

**Absent (1):** Carmen Rubio

1032

[Amend contract with Titan Utilities, LLC to add funds for storm sewer and maintenance hole replacement at Outfall 42 due to railroad permit delays \(amend Contract 30008429\)](#) (Ordinance)

**Ordinance number:** 191980

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Environmental Services

Second reading agenda item 996.

**Council action:** Passed

**Aye (4):** Mingus Mapps, Ryan, Rene Gonzalez, Ted Wheeler

**Absent (1):** Carmen Rubio

1033

[Adopt the Fifth Amendment to the North Macadam Urban Renewal Plan](#) (Resolution)

**Resolution number:** 37687

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Housing Bureau; Prosper Portland

**Council action:** Adopted

**Aye (4):** Mingus Mapps, Ryan, Rene Gonzalez, Ted Wheeler

**Absent (1):** Carmen Rubio

1034

[\\*Authorize financing to M. Carter Commons Limited Partnership or a Northwest Housing Alternatives affiliate for development of a new affordable housing project at 3675 N Interstate Ave not to exceed \\$3,500,000](#) (Emergency Ordinance)

**Ordinance number:** 191981

**Neighborhood:** [Overlook](#)

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Housing Bureau

**Council action:** Passed

**Aye (4):** Mingus Mapps, Ryan, Rene Gonzalez, Ted Wheeler

**Absent (1):** Carmen Rubio

1035

[\\*Authorize competitive solicitation and execution of price agreements for tree procurement, planting, and maintenance services not to exceed \\$10 million](#) (Emergency Ordinance)

**Ordinance number:** 191982

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Parks & Recreation

**Council action:** Passed

**Aye (4):** Mingus Mapps, Ryan, Rene Gonzalez, Ted Wheeler

**Absent (1):** Carmen Rubio

1036

[Amend contract with Northwest Success, Inc to add funds for janitorial services not to exceed \\$2,450,000 \(amend Contract 30008600\)](#) (Ordinance)

**Ordinance number:** 192015

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Parks & Recreation

**Council action:** Passed to second reading

Item 1036 was pulled from the consent agenda for discussion.

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

1037

[\\*Approve annexation to the City for property within the City's Urban Services Boundary on SE Clatsop St \(Case A-1-24\)](#) (Emergency Ordinance)

**Ordinance number:** 191983

**Introduced by:** Former Mayor Ted Wheeler

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

**Council action:** Passed

**Aye (4):** Mingus Mapps, Ryan, Rene Gonzalez, Ted Wheeler

**Absent (1):** Carmen Rubio

1038

[Amend grant agreement with Earth Advantage Inc to increase the amount by \\$10,300,000 to purchase additional equipment and subcontracted services for the Cooling Portland Program \(amend Grant Agreement 32002637\)](#) (Ordinance)

**Ordinance number:** 191992

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Planning and Sustainability (BPS); Portland Clean Energy Community Benefits Fund (PCEF)

**Council action:** Passed to second reading

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

1039

[Appropriate grant for \\$1,359,000 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance Fiscal Year 2024 Byrne Discretionary Grants Program for FY 2024-25](#) (Ordinance)

**Ordinance number:** 191993

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Police

**Council action:** Passed to second reading

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

1040

[Authorize Letter of Agreement between the Portland Police Association and the Portland Police Bureau to allow retroactive clarification of Articles 37.2 and 65.2 of the collective bargaining agreement](#) (Ordinance)

**Ordinance number:** 191994

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Police; City Attorney; Human Resources

**Council action:** Passed to second reading

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

1041

[Accept bid of \\$4,935,000 from Tapani Inc for the West Lents Floodplain Restoration Project \(Procurement Report – RFP 00002381\)](#) (Report)

**Document number:** 1041-2024

**Neighborhood:** [Lents](#)

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Procurement and Business Opportunities

**Council action:** Accepted - Prepare Contract

**Aye (4):** Mingus Mapps, Ryan, Rene Gonzalez, Ted Wheeler

**Absent (1):** Carmen Rubio

1042

[Assess properties for sidewalk, curb and driveway repair for the Bureau of Transportation \(Y1105\)](#) (Ordinance)

**Ordinance number:** 191996

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Revenue Division

**Council action:** Passed to second reading

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

1043

[\\*Pay property damage claim of Autumn Rouse for \\$5,342 resulting from a motor vehicle collision involving the Portland Bureau of Transportation](#) (Emergency Ordinance)

**Ordinance number:** 191984

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Risk Management

**Council action:** Passed

**Aye (4):** Mingus Mapps, Ryan, Rene Gonzalez, Ted Wheeler

**Absent (1):** Carmen Rubio

1044

[\\*Amend contract with Cale America Inc for multi-space parking pay stations and related services to extend the term through April 23, 2030, for an additional \\$4,800,000 \(amend Contract 31000720\)](#) (Emergency Ordinance)

**Ordinance number:** 191985

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Transportation

**Council action:** Passed

**Aye (4):** Mingus Mapps, Ryan, Rene Gonzalez, Ted Wheeler

**Absent (1):** Carmen Rubio

1045

[\\*Appropriate grant from TriMet for the 82nd Avenue Transit Project for \\$1,800,000](#) (Emergency Ordinance)

**Ordinance number:** 191986

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Transportation

**Council action:** Passed

**Aye (4):** Mingus Mapps, Ryan, Rene Gonzalez, Ted Wheeler

**Absent (1):** Carmen Rubio

1046

[Approve Council Minutes for October 2-31, 2024](#) (Report)

**Document number:** 1046-2024

**Introduced by:** Auditor Simone Rede

**City department:** Auditor's Office; Council Clerk

**Council action:** Approved

**Aye (4):** Mingus Mapps, Ryan, Rene Gonzalez, Ted Wheeler

**Absent (1):** Carmen Rubio

## Regular Agenda

1047

[Authorize the City Attorney to file an unfair labor practice complaint](#) (Resolution)

**Resolution number:** 37689

**Introduced by:** Former Mayor Ted Wheeler

**City department:** City Attorney

**Time requested:** 20 minutes

**Council action:** Adopted

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

**Nay (1):** Ryan

**Absent (1):** Carmen Rubio

1048

[Amend Code to align with the amended City Charter approved by voters in Portland Measure 26-228 \(amend Code Titles 13 and 28, and replace Code Titles 14, 26, and 29\)](#) (Ordinance)

**Ordinance number:** 192002

**Introduced by:** Former Mayor Ted Wheeler

**City department:** City Government and Leadership

**Time requested:** 20 minutes

**Council action:** Passed to second reading

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

1049

[Amend Code to align with the amended City Charter approved by voters in Portland Measure 26-228 \(amend Code Titles 1, 11 and 27, replace Code Titles 10, 16 and 21\)](#) (Ordinance)

**Ordinance number:** 191988

**Introduced by:** Former Mayor Ted Wheeler

**City department:** City Government and Leadership

Second reading agenda item 1008.

**Council action:** Passed

**Aye (4):** Mingus Mapps, Ryan, Rene Gonzalez, Ted Wheeler

**Absent (1):** Carmen Rubio

1050

[Authorize water revenue bonds to finance water system capital improvements for an amount sufficient to produce net proceeds of up to \\$250 million and to refund outstanding water revenue bonds](#) (Ordinance)

**Ordinance number:** 192003

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Investor Relations for Portland Bonds

**Time requested:** 10 minutes

**Council action:** Passed to second reading

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

1051

[Amend Parks and Recreation Code to align with the amended City Charter approved by voters in Portland Measure 26-228 and to update park rules \(replace Code Title 20\)](#) (Ordinance)

**Ordinance number:** 191989

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Parks & Recreation

Second reading agenda item 1011.

**Council action:** Passed

**Aye (4):** Mingus Mapps, Ryan, Rene Gonzalez, Ted Wheeler

**Absent (1):** Carmen Rubio

1052

[Amend the Portland Clean Energy Community Benefits Fund Climate Investment Plan](#) (Ordinance)

**Ordinance number:** 192005

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Planning and Sustainability (BPS); Portland Clean Energy Community Benefits Fund (PCEF)

**Time requested:** 30 minutes

**Council action:** Passed to second reading

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

1053

[Assess properties for sidewalk, curb and driveway repair for the Bureau of Transportation \(Y1104\)](#).(Ordinance)

**Ordinance number:** 192007

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Revenue Division

**Time requested:** 15 minutes

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

Motion to amend the Ordinance, Impact Statement, and Exhibit A to remove one property: Moved by Wheeler and seconded by Mapps. (Aye (4) - Mapps, Ryan, Gonzalez, Wheeler; Absent (1) - Rubio)

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

1054

[Create the NW Park Ave Local Improvement District to construct street, sidewalk, stormwater, sanitary sewer and water main improvements in conjunction with the segregation of pending local improvement district liens \(C-10076\)](#) (Ordinance)

**Ordinance number:** 191990

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Transportation

Second reading agenda item 1016.

**Council action:** Passed

**Aye (4):** Mingus Mapps, Ryan, Rene Gonzalez, Ted Wheeler

**Absent (1):** Carmen Rubio

1055

[Amend the NW Park Ave and Johnson-Kearney St Local Improvement District to construct only NW Johnson St and NW Kearney St and to construct NW Park Ave in a separate and newly-formed NW Park Ave Local Improvement District in conjunction with the segregation of pending local improvement district liens \(C-10069; amend Contract 30004963\)](#) (Ordinance)

**Ordinance number:** 191991

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Transportation

Second reading agenda item 1017.

**Council action:** Passed

**Aye (4):** Mingus Mapps, Ryan, Rene Gonzalez, Ted Wheeler

**Absent (1):** Carmen Rubio

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

---

**Session Status:** Adjourned

**Council in Attendance:** Former Mayor Ted Wheeler  
Former Commissioner Carmen Rubio  
Councilor Dan Ryan  
Former Commissioner Rene Gonzalez  
Former Commissioner Mingus Mapps

Mayor Wheeler presided.

Officers in attendance: Beth Woodard, Senior Deputy City Attorney; Keelan McClymont, Council Clerk

Council recessed at 2:52 p.m. and reconvened at 3:00 p.m.

Council recessed at 3:32 p.m. and reconvened at 4:00 p.m.

Council adjourned at 5:26 p.m.

### Time Certain

1056

[Adopt the Building a Better 82nd Avenue plan and its recommendations](#) (Resolution)

**Resolution number:** 37690

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Transportation

**Time certain:** 2:00 pm

**Time requested:** 1 hour

**Council action:** Adopted

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

1057

[Add wireless facility operators to the Utility Operators Code and amend fee schedule to include wireless facilities in the right-of way \(amend Code Title 12\)](#) (Ordinance)

**Ordinance number:** 192006

**Introduced by:** Former Mayor Ted Wheeler

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

**Time certain:** 3:00 pm

**Time requested:** 1 hour

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

Motion to amend Exhibit A to add new "Use" definition in Subsection 12.15.030 U.: Moved by Wheeler and seconded by Mapps. (Aye (5) - Mapps, Rubio, Ryan, Gonzalez, Wheeler)

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

1058

[\\*Amend Portland City Code Title 24 Building Regulations to add Chapter 24.31 to address transient lodging.\(add Code Chapter 24.31\)](#) (Emergency Ordinance)

**Ordinance number:** 192004

**Introduced by:** Former Mayor Ted Wheeler

**City department:** Permitting & Development

**Time certain:** 4:00 pm

**Time requested:** 45 minutes

**Council action:** Continued

Continued to December 11, 2024 at 9:30 a.m.

**Thursday, December 5, 2024 2:00 pm**

---

**Session Status:** No session scheduled

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

Name	Title	Agenda Item
Ted Wheeler	Mayor	
Mingus Mapps	Commissioner	
Dawn Uchiyama	Director, Bureau of Environmental Services	Pre-Gavel
Eric Engstrom	Director, Bureau of Planning and Sustainability	Pre-Gavel, 1052
Adena Long	Director, Portland Parks & Recreation	Pre-Gavel, 1027
Carmen Rubio	Commissioner	
Rene Gonzalez	Commissioner	
Dan Ryan	Commissioner	
Keelan McClymont	Council Clerk	
Linly Rees	Chief Deputy City Attorney	
Michelle Milla	(Communications)	1021
David Gray	(Communications)	1022
Kevin Peter Colt	(Communications)	1023
Michael Jordan	City Administrator	
James Lee	(Communications)	1024
Laura Curry	(Communications)	1025
Priya Dhanapal	Deputy City Administrator, Public Works	1026
Mike Serritella	PBOT Planner	1026
Nic Cota	Invited Speaker	1026
Rebecca Small	Invited Speaker	1026
Jessica Fletcher	Invited Speaker	1026
Matt Villers	(Testimony)	1026
Ally Holmqvist	(Testimony)	1026
Marci Macfarlane	(Testimony)	1026
Dylan Paul	Property & Business Development Manager, Parks and Recreation	1027
Heidi Long	Director, Oregon Zoo	1027
Heidi Brown	Chief Deputy City Attorney	1036, 1047, 1053
Tracy Warren	Director, Bureau of Human Resources	1047
Rob Martineau	President, AFSCME 189	1047
Diana Shiplet	Strategic Policy Analyst	1048, 1049
Jonas Biery	Deputy City Administrator, Budget and Finance	1050
Matthew Gierach	Debt Manager	1050
Cecelia Huynh	Director of Finance and Support Services	1050
Donnie Oliveira	Deputy City Administrator, Community and Economic Development	1052
Sam Baraso	PCEF Manager	1038, 1052
Babs Vanelli	(Testimony)	1052
Sherree Matias	Administrative Specialist II	1042, 1053
Sonia Schmanski	Deputy City Administrator, Vibrant Communities	1036
Sylvester Donelson, Jr.	Chief Procurement Officer	1036
Yasmin Ibarra	Invited Speaker	1036

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

Name	Title	Agenda Item
Ted Wheeler	Mayor	
Keelan McClymont	Council Clerk	
Mingus Mapps	Commissioner	
Carmen Rubio	Commissioner	
Dan Ryan	Commissioner	
Rene Gonzalez	Commissioner	
Beth Woodard	Senior Deputy City Attorney	
Priya Dhanapal	Deputy City Administrator, Public Works	1056, 1057
Julia Reed	Senior Transportation Planner	1056
Thomas Ngo	Chair, Street Trust Community Fund Board	1056
Jacob Loeb	President, 82nd Avenue Business Association	1056
Duncan Hwang	Metro Councilor, District 6	1056
Terry Parker	(Testimony)	1056
Kiel Johnson	(Testimony)	1056
Aaron Kuehn	(Testimony)	1056
Zachary Lauritzen	(Testimony)	1056
Donnie Oliveira	Deputy City Administrator, Community and Economic Development	1057, 1058
Andrew Speer	Cable Utility Franchise Management	1057
Michael Jordan	City Administrator	
Alex Leupp	(Testimony)	1057
Kathy Putt	(Testimony)	1057
Matt Rozzell	City Building Official	1058
Kari Schimel	Fire & Rescue, Fire Marshall	1058
Hayden Laverty	(Testimony)	1058
Trevor Stout	(Testimony)	1058
Shanna Corona	(Testimony)	1058
Bianca Leilany Nuñez Marin	(Testimony)	1058
Kimberly Soto	(Testimony)	1058
Jonathan Cohen	(Testimony)	1058
Jessie Burke	(Testimony)	1058
Gabe Krebs	(Testimony)	1058
Paul Patino	(Testimony)	1058
Maricruz Diaz	(Testimony)	1058
Alice Engelstad	(Testimony)	1058
Connor Laverty	(Testimony)	1058
Jordan Egbert	(Testimony)	1058
Bob Schatz	(Testimony)	1058
Mark Goeman	(Testimony)	1058
Makenzie Marineau	(Testimony)	1058
Jody Orrison	Portland Permitting & Development, Building Codes Analyst	1058

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

**December 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:** The business of today's meeting. We'd like to take a moment to recognize the life and legacy of bob salinger, who was a towering figure in Oregon's conservation movement and a relentless and true champion of our natural environment. To begin with, I'd like to pass this to commissioner Mapps.  
Commissioner Mapps.

**Speaker:** Thank you, mr. Mayor. Today we have a pre proclamation to honor the life and legacy of our friends. Bob salinger, who passed away recently. Bob, as you have heard, is a visionary leader in Portland's conservation community. His tireless dedication to protecting wildlife and preserving Oregon's natural beauty inspired a greener, more sustainable future for all of us. This pre proclamation is an opportunity to reflect on bob's extraordinary life and the lasting impact he has had on our city. Now, I would like to invite some of our bureau directors to the dais so that they can share their reflections on bob's life and legacy. Welcome, and please come on up.

**Speaker:** Good morning. Good morning. Good morning.

**Speaker:** Good morning everyone. I'm dawn uchiyama, the director of the city of Portland's bureau of environmental services. Bob salinger's passing has deeply affected us at environmental services, where many of us have worked with bob for years. His relentless advocacy and dedication to protecting the landscapes and

wildlife that define our region made him a familiar and trusted partner, and we are heartbroken. Bob was ahead of his time and his impact extended far beyond any single organization or cause. His work to restore our rivers, protect our habitats and inspire conservation efforts across our watersheds was truly transformative. His passion and vision helped shaped many projects that will benefit future generations, reminding us of the profound power and importance of conservation. We are honored to have worked alongside him and to share in his vision and his commitment to making Portland a healthier, more resilient place for people and wildlife alike. His passing has left a profound void in our community, but his life and work remain an enduring and inspiration to all of us. I had the great pleasure to know bob for several decades, and I could always count on him to tell me what he really thought. And I also always knew where his tender heart was. His ideas, input, and partnership with environmental services didn't just lead to projects it helped build a culture of conservation and a broader understanding of why conservation is important. I know that many of you have your own stories about bob. A cornerstone of his legacy was his ability to connect with people. His passion, determination and vision touched each of us in many unique and memorable ways. On behalf of all of us at environmental services, I want to extend my deepest condolences to bob's family. His colleagues and his countless friends. While we've lost a part of ourselves with his passing, please know that his spirit and legacy will live on in our work and he will always be a part of our community and the environment he worked so tirelessly to protect. I'm reminded of the words of the great poet rilke. I circle around. I circle around the primordial tower. I've been circling for a thousand years, and I still don't know. Am I a falcon? A storm, or a great song? Bob, I believe you are all three. Thank you. Thank you.

**Speaker:** Good morning. I'm Eric Engstrom, director of the Bureau of Planning and Sustainability. Bob was deeply engaged over the past several decades in a long list of planning and sustainability projects. He's been a vocal participant on literally dozens of project advisory committees. He's been instrumental in shaping many plans, including the River Plan, our environmental program, the city's comprehensive plan, the airport long range plans, the industrial land strategy, climate policy, central city plan, and the decision not to build a marine terminal in West Hayden Island. That last thing was probably one of his signature achievements, at least related to Portland land use. And I was the guy who was assigned that annexation project earlier in my career. And I'll just say that Bob was relentless. I think you'll probably hear that word a couple of times today. He was certainly among the top five contributors to our collection of public comments over the past 20 years, or more. He's been a champion of making decisions grounded in science, facts and critical thinking, and he was not shy about calling us out when we got it wrong. He occasionally liked to offer up grand bargains. He would say we can settle this if you can just agree to these three things that were always really big things, by the way. He never missed an opportunity to bend staff's ear after meetings, sometimes lingering for 30 minutes or more. He knew it was always the long game that matters. And at a final City Council hearing for one of our plans, Bob acknowledged how long our projects sometimes take. We both had had kids who were infants when we started the project and were teens by the time we finished. It's probably appropriate also that I take a moment to just advocate for something while I'm here. Bob certainly would. And if Metro or the Port are listening, I would urge you to take some time to work out an agreement to formally get West Hayden Island into the open space network. Who?

**Speaker:** Thank you. And, Mr. Mayor, I believe we have Director Long online.

**Speaker:** I believe we do.

**Speaker:** Good morning. Morning. I'm adina long, the director of Portland parks and recreation. I'm sorry I can't join you in person, but I'm fighting a cold, and I thought I'd try to keep everyone else healthy. On behalf of vibrant community service, leadership and Portland parks and recreation, I want to share our deep sympathy with bob's family and friends for their tremendous loss. Bob's death is a tragedy for the many, many people who treasured his depth of knowledge, passion, tenacity, and spirit. Bob served for six years on the Portland parks and recreation board, where he spearheaded and advocated for countless environmental and conservation efforts. He was the first call for many of our staff for a laundry list of questions and perspectives on nature, land preservation, and wildlife conservation. Bob also served on the parks budget advisory committee and an alternative funding task force, lending his knowledge and expertise to ensure the bureau was adequately funded to continue its important work. Long time friend and fellow advocate mike hawk accurately described bob as the fiercest conservation warrior he'd ever known. We at Portland parks and recreation wholeheartedly agree. No one could match his passion, and we're all better for it. As a city agency charged with the stewardship of the largest portfolio of green spaces, watershed and wildlife habitat, we could not have asked for a more steadfast, educated, reliable and beloved ally than bob. City nature manager rachel farley shared that bob was always generous with his time and expertise. She says he was equally willing to talk about small decisions or larger issues with both passion and professionalism. Forest park coordinator liz brumfield remembered bob's efforts from helping to protect individual peregrine nests to action on massive infrastructure projects, not to mention law and policy. Lib added that bob always showed up with what she called both heart and reason, demanding accountability and transparency while

working collaboratively with partners. His passing is a profound loss, but bob salinger's legacy will live on in the communities and landscapes he fought so tirelessly to protect. Bob's legacy is and will remain entrenched in the natural world, far and wide. Generations of Oregonians will continue to draw inspiration from bob's years of efforts. Bob has a commemorative park bench and cathedral park, a location that he chose in 2014. We welcome his family, friends and fans to visit and to sit and be inspired. May bob's memory always be a blessing. Thank you.

**Speaker:** Thank you, director long.

**Speaker:** I want to thank our speakers for sharing their reflections today and for those of folks who are watching online, I want to share this with you. We have a full house. We are privileged today to be joined by dozens of bob's colleagues and friends and family. And I want to thank all of you for sharing this moment with us today. And as we all know, bob's work and passion leave behind a legacy that will shape Portland for generations to come. For more than three decades, bob championed efforts to protect wildlife and ensure that future generations could enjoy Oregon's natural beauty. Bob had a unique ability to rally people around the cause of conservation. His humor, collaborative spirit, and deep expertise made him a trusted mentor to many of us and an ally to so many in this community. Whether he was shaping policy or working in the field, bob inspired action and proved that protecting our environment is a shared responsibility. I will remember bob for his integrity and his unyielding commitment to holding all of us accountable. As stewards of the environment. His dedication challenges us to continue the work he started and to honor his vision for a thriving and sustainable Portland. On behalf of this City Council and the people of Portland, we extend our deepest condolences to bob's friends. His family, and his colleagues. Thank you very much, mr. Mayor. I'll hand it back to you.

**Speaker:** Thank you. Colleagues and commissioners. That's very good. I had. Commissioner Rubio. And you're muted. There you go.

**Speaker:** Thank you. I just wanted to say a couple words. This is really important for me to say a few things about bob and his legacy. It was extremely saddened by his passing. I consider him a respected leader and a mentor and a friend. And I first met bob well over a decade ago, probably nearing two decades ago, and we aligned at the intersection of our community work to protect communities and the environment. And even then, his deep, deep passion for his work, but also together with, as someone mentioned before, his big heart, it was hard to deny, you know, he was a force and he left quite an impression on all of us. He was tenacious. He was fierce. He was a truth speaker, and he was a strong protector. And this was his lifelong calling. And for more than, you know, three decades, his dedication has helped create this cleaner, natural environment, protected our incredible, beautiful rivers and watershed, promote avian, avian conservation. All of this was beyond impactful. It was really, really I heard someone use the word transformative. That's exactly what it was. And you know, when I was in this role for all these last several years, I had the honor of working even more closely with him. And he was always, always generous and ready with his advice, with his opinions, and also with the white paper on his thoughts. And so that's what I really appreciated about bob. He took the opportunities in knew where those intersections were, advantage of them, and we would have long discussions and they were often very impassioned discussions because he was such a good advocate. And we talk about challenges and hopes for the city and all the things that mattered most. And he knew how to navigate and organize to force changes in the system that needed to happen. And he was adept at the art of negotiation and always aimed for that win win. So, you know, we truly have, bob, to thank for all of the a lot of the protections that were

monumental protections that we now enjoy. He has shaped the state. His legacy and his impact will live on in his family in the hundreds, thousands of people he's mentored and worked with and lives that he's touched, and also for future generations. So my hope is that Portlanders will continue to recognize his legacy and that we all have a duty to honor him by emulating his strong example that he set for us to follow. My condolences.

**Speaker:** Thank you, commissioner Rubio. Commissioner Gonzales.

**Speaker:** Just I want to acknowledge his family and the iconic contribution. Bob made to the city of Portland. I probably worked with him the least amount in terms of time, but I'll never forget my first impression of meeting Bob. I had been sort of teed up by one of my advisors, who had worked two decades with him, just about his passion, his sophistication, and see him walking down the hallway and it's like, well, he really is the Lorax. Like he looks like the Lord. And the words that come out of his mouth are like, Lorax, you know, his love for the environment, for the watershed, for the river, for the birds was real. It was passionate. I didn't agree with him on everything, but I never doubted where his love was coming from. And you know, at times the environmental movements in our community can go from embracing and protection of our watersheds and our rivers. And at times it rears to a kind of nihilism. With Bob, it was always that deep passion and protection and love, and it was never really in doubt. And so I just hope that his family can feel the love for him and his contribution to the community that will last long, many years past his time here. And even for guys who didn't always agree with him, deeply appreciate his contribution to our city. Thank you, thank you.

**Speaker:** Commissioner.

**Speaker:** Commissioner Ryan, first of all, thank you, commissioner Mapps and your office for organizing this pre-gravel memorial tribute. And to those with heavy

hearts and soft eyes who are with us this morning in the chambers, I see many of you. Thank you for being here. It's noticed and my condolences for your grieving. It's all hitting home this big deal. Passing got more real. Portland has lost a legend. When I won my seat on City Council four years ago, I didn't know bob salinger. But I knew of bob salinger. That's the thing about legends. You hear about them well before you may have the privilege to meet them in real life. I was privileged to have dialog with bob salinger, the legend, on a number of occasions over the last four years. And I can honestly say our dialog did move me. Michelle emmons, deputy director at the columbia riverkeeper, described him as I experienced bob. Her quote in the Oregonian reads as follows. He was a force to be reckoned with, but always held his ground with respectful discourse. What I respected about bob was his willingness to do dialog. We would meet about an issue we would not be on the exact same page. He would listen to me. I would listen to him, and we would come out of an agreement, out of the meeting, meeting each other on our edges. Most of the time, and if not, we would agree to disagree. That's good dialog and it's it is what? It's democracy in action. Bob was a civic leader and he knew how to civically, civilly and consciously engage. His heart was on his sleeve. Bob was able to listen and move people to a different place. His approach was active, genuine and powerful. I hope that others who are mentored in bob's style will bring more of that civic dialog to conversations. I will think of bob when I kayak on our mighty rivers. I remember that the river is much, much bigger than me. The sky above me is much, much bigger. And that Portland is a treasure because of our location and we better take care of it. Bob understood how to steward our land, and as elected officials, it's our responsibility to steward this land with respect. Thank you again for being here this morning. To bob's family, for sharing him with us and to the many Portlanders

who will work to live up to his legacy. Thank you bob for everything you fought for with all of your heart. The city of Portland will work to honor your memory.

**Speaker:** Thank you, commissioner Ryan. Thank you colleagues, for over three decades, as you've heard, bob worked passionately to preserve wildlife and to preserve our natural areas. He wanted to protect our ecosystems, not just because it was the right thing to do for all of us, but that it was imperative that we be able to do this for future generations. In that sense, I believe he was very visionary. He was, and in fact is everywhere in this community that you look from his leadership roles with the bird alliance of Oregon and the willamette river cave keeper to his hands on efforts restoring ross island and creating bird safe buildings, that's that's an issue that he and I had plenty of opportunity to work on together. I learned a lot from him about that. Bob obviously infused conservation into every corner of our city. He's literally touched every corner of our community. His knowledge of municipal processes, coupled with his dedication and his collaborative spirit, helped shape Portland's environmental policies, and he personally secured millions of dollars for our beloved parks and many restoration projects throughout this community. Beyond his achievements, bob inspired countless individuals with his vision and his unwavering commitment to a greener future. There are probably many, many people in the environmental movement because they were inspired by bob to be part of that movement. Bob's passing is a profound loss, but the legacy he leaves behind in the landscape protected and the people he mentored remains as strong as ever and will remain strong for many, many decades. To come. On behalf of the city of Portland, I extend our deepest gratitude for his extraordinary contribution and I offer, along with my colleagues, our heartfelt condolences to his family, who we so appreciate for being here and sharing bob with us to his many friends, many of whom are here today, and of course, all of his colleagues who did

and continue to do the good work in the community. May his memory inspire us all to continue to do the vital work of protecting our natural areas. And now it's my honor on behalf of the city of Portland, to read the city's remembrance document for Bob Salinger. Whereas Bob Salinger was a passionate and unwavering advocate for Oregon's natural environment, dedicating more than three decades to preserving wildlife, protecting vital ecosystems, and promoting sustainable environmental policies throughout the region and whereas Bob's career was defined by his leadership in a variety of important conservation roles, including his longtime position as conservation director at the Bird Alliance of Oregon, formerly Audubon, his most recent roles as executive director of Willamette Riverkeeper and Bird Conservation Oregon, where he worked tirelessly to safeguard the health of the Willamette River and habitats, all across the state of Oregon. Whereas throughout his career, Bob's work focused on elevating the priority of conservation efforts in Portland, his tireless efforts to protect critical wildlife habitats and urban green spaces led to beloved greenways along our rivers. The development and accelerated implementation of the Portland Watershed Management Plan, restoring Ross Island, protecting the Riverview Natural Area and West Hayden Island Bird Safe Buildings and Backyard Habitat Certifications, amongst many, many others. Bob's deep dive and encyclopedic knowledge of Byzantine municipal processes such as zoning budgets, levies, ballot measures and commissions infused Portland's green reputation into all corners of government. And oh, by the way, it made him very successful as an advocate. And whereas Bob was known for his direct and hands-on approach to environmental work, which included rehabilitating injured wildlife, monitoring peregrine falcon nests, bringing elected officials and leaders to the river to demand the cleanup of Portland Harbor, and working with local communities to ensure the protection of natural areas through

public education and policy advocacy. And whereas, as a respected voice in environmental law and policy, bob was instrumental in shaping the broader region's conservation agenda, including his leadership in metro's parks. Nature's program, which secured millions of dollars in funding for park acquisition and restoration, and his role in securing land for public parks and natural areas here in Portland and all across the region. And whereas bob was a trusted advisor to multiple organizations and public agencies, lending his expertise to the Portland utility board, the elliott state research forest board, the urban flood safety and water quality district, and numerous other boards and committees dedicated to the stewardship of Oregon's natural resources. And whereas, beyond his professional achievements, bob was deeply valued by his colleagues and friends for his collaborative spirit, his incredible work ethic, and his ability to inspire others to act on behalf of the environment. While always maintaining integrity, respect, and a strong sense of humor. And whereas bob's extraordinary impact on the conservation movement in Oregon was recognized through numerous awards and honors, including the david b marshall lifetime achievement award, the us fish and wildlife special achievement award, and leadership awards from organizations such as the friends of the trees, the columbia slough watershed council, and depave. And whereas bob salinger's untimely passing on October 30th, 2024 leaves a profound loss to his family, friends, city leadership, our employees, and the Portland community, and to the many environmental organizations and leaders he mentored and worked alongside. Yet his legacy continues in the landscapes he helped protect the policies he shaped, and the countless individuals who worked with him to carry forward his important work. Now, therefore, i, ted Wheeler, mayor of the city of Portland, Oregon, the city of roses, do hereby honor and celebrate bob salinger for his extraordinary dedication to conservation, his profound

contributions to the preservation of Oregon's natural landscapes, and his lasting impact on the future of environmental stewardship in our community and beyond. Bob, thank you from all of us. Thank you.

**Speaker:** Thank you.

**Speaker:** Yeah. Why don't we take a five minute break? We're in recess. Yeah. A gavel all right. Good morning everybody. We're going to reconvene, please. This is the December. That we still have a long meeting ahead of us. Good morning everybody. This is the December 4th, 2024 morning session of the Portland City Council. Keelan, please call the roll.

**Speaker:** Good morning. Maps here. Yea. Rubio. Ryan here. Gonzales here.

**Speaker:** Wheeler here. Now we're going to hear from legal counsel on the rules of order. And quorum. Good morning. Thank you. Mayor.

**Speaker:** 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 slash council slash 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 today 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 and virtual testimony. Testifiers should unmute themselves when the council clerk calls their name. Thank you.

**Speaker:** All right. Thanks everybody. First up is public communications. First item 1021 request of michelle miller to address council regarding safety concerns in lower northwest stadium neighborhood. Good morning michelle. Thanks for your patience.

**Speaker:** Good morning yvette. Good morning mayor, commissioners and City Council. My name is michelle miller. I am a resident of the stadium neighborhood in northwest. It's a diverse community, home to four schools. We've got metropolitan learning center, beth israel cathedral school, and lincoln high school. And I'm here to share some safety and livability concerns with you. The city's responsibility in maintaining safe infrastructure includes addressing hazards such as crime, environmental risks and the impact of social policies like harm reduction programs. There is a directive in Portland city code title one, chapter one, section 020. It talks about your mission and I quote, policymakers are supposed to place long term benefit to the public as a whole. Above all other considerations, including important individuals and also special interests. And I would argue that the distribution of needles and crack pipes fall within the purview of special interest groups. Interest groups operating here, like the Portland people's outreach project. Pop, it's a clandestine organization run by volunteers under the Portland street medicine group, which is also a nonprofit. I, along with many people on my street, regularly pick up discarded needles and evidence of other drug use near the school properties and field, heightened concerns from parents about walking their children to school, and what should be safe and welcoming areas. The unregulated distribution of drug paraphernalia, the absence of proper cleanup protocols and the lack of accountability from organizations claiming to serve the public good have

turned our neighborhood into an unsafe space that facilitates drug use and crime. This is not harm reduction. It's harm facilitation. The safety of our children should never be up for debate. It is not just a parental concern, but also a societal obligation. We've met with pop and they see no issues in normalizing this kind of harm around children. And it needs to stop. So we're coming to you. The City Council is a public trust. And right now that trust is being undermined. And it's eroding community resilience. So how can we build a strong community when we can't depend on the institutions that are meant to protect us? Policies must include strict oversight of organizations that operate under the guise of harm reduction. Policies must ensure comprehensive cleanup of biohazardous waste. Right now, the residents are doing this on a daily basis, and also policies must establish clear boundaries around areas where children live and learn. So we need you. We need the City Council to find a better balance. We need to move these programs out of school zones. What I'm talking about is holding many things true at the same time, we can care for the vulnerable populations that rely on harm reduction services, and we can also create environments where families who depend on safe neighborhoods are part of our communities. Thank you for your time. Thank you for your service and I look forward to seeing Portland balance compassion, common sense, and safety. Together. We can do this and we're here to help you. Thank you, thank you.

**Speaker:** And before you disappear, let me just say I emphatically agree with you. And I also want you to know that this is an area that we are, in fact, increasing our attention. In fact, I had a meeting just the other day with the governor of the county chair and others. The police bureau has increased its patrols in this area. We've also increased our social services outreach through our Portland outreach workers to try to get people off the streets and into treatment. We have also had specialized

police missions in this particular area because we know it is a hotspot. And in fact, we track hotspots across the city. Southwest 13th is the largest hotspot in our city at present, so we know this is a significant area. We are. We share your concern that it is in close proximity, not only to Lincoln High School, but to the overpasses that are the primary means for many students to get to and from school. So I just want you to know this is not falling on deaf ears. We at the city agree with your assessment of the circumstances. We also have our Portland Solutions program actively engaged in this area. You mentioned the biohazards do not hesitate to call us if there are things that you see that need remediation. We are certainly prepared to help. You should not have to burden that. You shouldn't have to carry that burden on your own, you and your neighbors. So thank you. And I hope you will stay in touch with us and keep us apprized. And then that'll also give us an opportunity to share some of the work that we are doing in that immediate area. But we agree with you. That area is highly problematic and we are focusing resources on it. Thank you very much for being here. Okay. Next individual please. Oh I'm sorry. Commissioner Gonzalez and Commissioner Mapps.

**Speaker:** Well Mr. Well, number one, I want to thank our speaker for coming in. Mr. Mayor, I want to thank you for clarifying what the city's doing on this. And frankly, I know Commissioner Gonzalez has thought a lot about this space in particular, I wanted to know if you had any thoughts on how to manage this space beyond what the Mayor added. I'd be curious, but I don't want to put you on the spot.

**Speaker:** I mean, you know, two months ago I did a ride along with the mobile deflection with Portland police and primarily Old Town Stadium area. You're talking about the County Library and what was so incredibly depressing, really to twofold is one, the medical needs of those on our streets when we're talking folks who are

suffering from opioid addiction, the corresponding medical challenges that are facing, it's not one medical issue. It's not one behavioral health issue. It's multiple. And that so as a society, what we're going to do about that is a complex, brutal question. And I don't think anyone really has a perfect answer. The second part of it was just how entrenched the enablement culture is in our city. And it's not just what the city does, it's not just what the county does. It's not just what the nonprofits do. You've got a lot of people that are actually genuinely trying to help. But when you look at these folks with really on a path to death, like if you're consuming ten pills a day on the streets of Portland, the chances are you're going to die in Portland are pretty high. You know, at least on the current path. And the amount of well-intentioned or otherwise efforts to just essentially keeps people right where they're at, continuing down this path and how deeply entrenched that is. Right now in our city. It's a brutal reality. We're confronting as a community there. And it's not just one player, it's not just one level of government. It's not just one nonprofit. It's the whole ecosystem that is that is created, this environment. So i, I think that has to be part of the solution that we're all levels of government, nonprofit community, are all walking in a direction that is trying to break up this entrenchment. And it's not going to be just one thing. Yes, there's a criminal justice intervention. There's behavioral health, there's medical components. But what you're speaking to is really what's drawing this in. And helping keep it so entrenched around a lot of children, a lot of families, a lot of seniors, a lot of small businesses that are entitled to enjoy this city and so I could talk a lot more about this. I don't, you know, there's not one lever that the city can pull on this right now. Maybe we regulate the distribution of harm reduction. You know, I certainly tried to tackle what the county is doing in that area in a thoughtful, well balanced way that it's tough. And if you try to regulate it, there's some first amendment issues that

come up that are not easy to navigate, but unfortunately, it's going to have to be for the next council to try and navigate, you know, where you regulate some of these things, even if they're well intentioned. One last piece on this. You know, we talk about the spread of communicable diseases. That's a lot of what underlies harm reduction. I don't know that we have current studies on, you know, whether these home harm reduction strategies are reducing aids and hepatitis spread when folks are consuming fentanyl and primarily with tinfoil. I still don't get why handing out needles is how that's preventing the spread of hepatitis and aids. When people primarily consume with tinfoil. And so it's. So we're going to need some further research to kind of tackle some of those underlying public health assumptions. Again, I could go on further. I appreciate your testimony. I'm sorry that we're your neighborhood is struggling with this, and we're all going to have to hold hands and figure out a better way forward. Thank you.

**Speaker:** Next individual please. Item 1022 request of david gray to address council regarding safety concerns in public safety in the stadium neighborhood. Welcome. Thank you for being here.

**Speaker:** I press this button. Okay. Thank you. I'm david gray. I'm also representing the stadium neighborhood. I'm a resident. I'm going to try to avoid repeating some of the stuff that michelle said. Although I do want to say, first off, that I appreciate everything that we just heard from you. So you don't need to say it again, but you're going to hear some of the same stuff from me. The stadium neighborhood is a residential area around providence park. It straddles the northwest and goose hollow districts, and in addition to the many people who pass through to attend the stadium events, it is densely populated, populated with low and middle income people who live in apartments condos. There are single family homes, small businesses, churches, parks and schools, and this is very important, I think, to

recognize many of vulnerable and unhoused unsheltered people who do not use drugs and have no choice but to share the streets with drug users, drug dealers and the associated disruptive and criminal behavior, trash and so forth. I also would like to shine a light on the so-called harm reduction initiatives we talked michelle mentioned they hand out needles and other stuff in our neighborhood every Friday. They're a shadow organization. They have no listed members. They have no public face. They have no management. They have no ceo. They're completely anonymous. They operate out of unmarked vehicles. No, they don't wear uniforms. They just show up. They do believe they're doing good, but belief is not a fact. As commissioner Gonzalez was pointing out when challenged by neighbors, I mean they're unresponsive to neighbors. First of all, we try and call. We try and contact their organization. We get no response. So we go out and we talk to them on the street. When we do that, they call an antifa. People who wear black block and masks, who harass and intimidate the neighbors as their defense because they feel somehow threatened by us trying to talk to them. There are areas where p.o.p. Operates have the highest concentrations of discarded needles, highest numbers of drug arrests, highest numbers of petty crimes and overdoses in the city. Our particular location is one block from a primary school. It's smack in the middle of a designated safe route to school and safety corridor. In addition to the unhoused people who don't use, oh, all right. I think it should be zoned and regulated. I'll stop there.

**Speaker:** Thank you. Sir. Appreciate you being here. Next individual, please.

**Speaker:** 1023 request of kevin peter cole to address council regarding drugs in the stadium neighborhood.

**Speaker:** Kevin on the line. Yeah.

**Speaker:** Kevin, you're muted.

**Speaker:** Good morning kevin.

**Speaker:** Good morning I live in the stadium neighborhood too. And I've seen old men push women down to their knees to perform oral sex on trinity episcopal cathedral property. I've seen the goings on in the mcdonald's. I'm here today, however, to thank our police. I go out when I hear the police and I interact with them, and I watch them as they do arrests and let me say something about our police force to a one. They are kind when they are actually arresting these people. I want to say thank you to officer eli arnold. Officer david cipriano guzman, officer samson blakesley, officer steve vargas, officer jack osterkamp, officer amadeo hauck, officer it goes on and on. Officer donald matthew, officer curtis burgess, officer daniel buck, officer cory miller, officer nicholas kill, officer maxwell stewart, officer damien dale. Each of these officers has given me their business card after they've arrested these people. We should be proud of our Portland police. I also want to agree with commissioner Gonzalez. Commissioner, you nailed it. This is a city of enablers. The problem is that with the next City Council, why should someone in old town be telling a voter in sellwood what that voter needs in sellwood? Why should a voter in sellwood be telling someone in old town or in the same neighborhood, what should be happening in their neighborhood? We need to break up the city further into 13 districts. I also want to address you, mayor Wheeler. I have to say, and from the bottom of my heart, thank you, sir. Thank you. Because through it all, through covid, through your divorce, through the loss of your mother, through being harassed by antifa and other people, you've been stalwart. You've been an outstanding leader. Thank you from the bottom of my heart, sir. And I also want to encourage all of you on the commission who aspire to a higher political office here in the city and the next commission, we should divorce ourselves from Multnomah County. Why? Because right now the fingers pointed at

each other. We need the buck to stop somewhere, and I want it to stop with my City Council, not with a super strong chair sitting on the county commission who that sole person can really direct so many things in this city for the good or for the bad. One more thing I'd ask of the City Council on north. We need stop signs in this neighborhood because the drugs come in from the 405 freeway. Okay. Thank you.

**Speaker:** You have 30s.

**Speaker:** Okay. The drugs come in from the 405, and we need stop signs on davis at 17th. Everett at everett at 17th, 18th at davis and 19th at davis to slow the traffic down and to protect all the children that go to school. Those streets are right at a school, a grammar school. So that would help those kids, too. Thank you, City Council. I'm really happy to have been here today and hear how you've responded to us. Thank you.

**Speaker:** Thank you for being here and taking the time. And before you go away, mr. Cole, a couple of comments.

**Speaker:** Commissioner Mapps sure. I just want to thank michelle, david and kevin for testifying today. I think everyone on council is aware of the challenges that you face. I want to encourage you to lean into it. And as you know, in a couple of weeks, Portland will be operating in a new form of government. One of the things that I'd encourage you to do is to reach out to your elected officials who represent your district and engage in a conversation around some of the challenges you have. One of the things I hope our new form of government will do will be making us more effective at solving exactly these kinds of problems, so I hope you can engage in a conversation like this. I'm also going to ask our city administrator to take seriously your suggestions around specifically some traffic putting up stop signs and whatnot. We've done this in other spaces that have been hotspots for crime, and in some instances we've had some success. So I hope that we can we can explore that

moving forward. And I also I wanted to ask that the city administrator. So if you're a citizen and you have a problem like this and the new form of government, what do you do? Do you call is there a website that you go to? Do you reach out to your elected official from your district? How do you get action in a situation like this?

**Speaker:** Commissioner, all of the above. And i'll just say anyone can call my office at any time for any of those things. Deputy city administrators work as a team on these issues because sometimes they're cross bureau issues. And so we can work collectively, and we are setting up 311 as the intake for constituent issues across the entire city. So there are multiple ways, and I would encourage them to call their new elected officials in their district also.

**Speaker:** All right. So 311 call your elected officials. And then the city administrator invited anyone with a problem to call his or her office. Moving forward, which I encourage you to do. The people beside me and behind me are really going to be on the front lines of figuring out issues like this, but I appreciate you taking time to talk to us today. And I appreciate everyone in the room who's going to help us fix this problem.

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

**Speaker:** Commissioner Ryan, thank you, mayor. I just wanted to briefly acknowledge michelle, david and kevin as well. Thank you. Nailed it with your line about the fact that we can be compassionate and have common sense. I want to also acknowledge how proud I am to have served with this composite of the City Council for the last two years. We've had the courage to pass policy that that put us in the harm's way, if you will, with a lot of dissent from some of the groups you're talking about. And like commissioner Gonzalez mentioned, it's so complex with all of us needing to be rowing in the same direction, and we're not, I think as a society, especially here in Portland, we struggle with what it means to recover and recovery

always takes some tough love and it takes some consequences or no one will ever recover. And I think all of us can relate to that because in our personal lives, we've suffered the consequences of those who we've loved that haven't recovered. And so I don't think there's a big gap to get there. And I do hope that you form relationships with the three amazing people that will be serving district four. And to keep that dialog going, we have to have the courage as elected officials, as a nonprofit that we partner with to be steadfast and recover as a city.

**Speaker:** Thank you. I'll just add one more word, if I may, mr. Cole. Number one, I agree with you, and I agree with my colleagues. Accountability is compassionate, and when you do not hold people accountable, what happens is they often engage in even more dangerous activities that ultimately have a cost for them personally, for their families, for their friends, and for our community. So this council has, I think, led and led very strongly on the notion that accountability is compassionate. And I hope that the new council takes that up as well. On a personal note, mr. Cole, thank you for your kind comments about me. But more importantly, thank you for your kind comments about our police officers who do the patrol in your district. As you certainly understand, the work they do is very difficult. I appreciate you calling them out by name. And I want you to know, as luck would have it, aaron schwartz, who is the head of the Portland police association and the representative of all of those employees, is here hearing your kind comments today, and I'm sure he'll pass those kind comments along. So thank you for saying so. Next individual please.

Item 1023 I'm sorry.

**Speaker:** 1024 request of james lee to address council regarding our musical future. Part two.

**Speaker:** Welcome back, mr. Lee. It's good to see you.

**Speaker:** Thank you, mr. Mayor. Excuse me, I'm James Bernard Lee. I reside in southeast Portland and speak only for myself. Thank you for hearing me today. I've been communicating with council since the Goldschmidt administration and have gained respect for members doing these difficult jobs. I became friendly with Amanda and Nick, both of whom endured great tragedy during their service. I dedicate this to Charles Jordan, the most brilliant. I'm going to miss you guys. In my previous communication, I told how a charming and intelligent young lady had encouraged me to continue working on the concert hall problem. More than intelligent, she was brilliant from a brilliant family. Decades later, I discovered that her younger brother Ken Rosenthal, was the star student of the legendary Richard Feynman. Tony Robbins is Norse in English music and the Dark Valley. How could so bright and beautiful a girl have so melancholy? A name? Fred Hansen remarked that he had asked Vera Katz to chair the design committee for the Tillicum because he wanted a zero BS project. Mr. Hansen's criterion is lacking in the Keller Keller PSU project. The Mayor, rather than asking Opera and Symphony about needs, supports the problematic and speculative real estate cabal that has insinuated itself into our vital public university. Someone I must represent the public interest to counter that scheme, which, as Commissioner Mapps has remarked, aims to sequester a large fraction of \$1 billion of public funds for a quasi private project. The way forward is for Mr. Hansen, Carlyle and me to generate a perspective for what the Symphony and Opera actually want in the northeast quarter of downtown, north of Morrison, east of Fifth. Excellent transit and a large city owned parking structure are nearby. Also, we must proceed with a seismically upgraded Keller. The Broadway people want that the Mayor's cooperative plan results in three transcendently mediocre multi-purpose auditoriums for Broadway and nothing for Opera and Symphony. It

lacks due diligence and is counterproductive. We are done here. Thank you, thank you, thank you.

**Speaker:** And last but not least, please request of Laura Curry to address council regarding boulder placements on northwest 16th avenue between Couch and Davis streets.

**Speaker:** Welcome. Lawrence joining us online. Very good Laura you're muted.

**Speaker:** Here we go. And you can see me I think. Yep.

**Speaker:** We see you. And we hear you.

**Speaker:** Great. Thank you. So I'm a resident in the northwest community. And I've been listening to Michelle and David and Pete speak. And I'd actually like to shift my comments to address the same issues, experiences that they had shared. And I wanted to make a couple comments. I do also agree and appreciate Eli Arnold and the other officers that are in the area. They do great work for us and Mayor Wheeler, I absolutely agree with your statement that accountability is compassion. And to that, the organization pop that posts up on 19th and Couch every Friday night to distribute needles, distribute other drug paraphernalia, as well as women's sanitary supplies, food to go safety, you know, first aid things. But it is not is it is not a needle exchange. So I have lived in other cities. I'm in New York City right now doing work. I have lived in other cities where there is a needle exchange. That's accountability. There is no accountability. I clean up as Pete, as Michelle, as David do every day when I am home, I am cleaning up sharps. I'm cleaning up used foil, I'm cleaning up biohazards I appreciate that there is a phone number that I could call for the city agency to address this, but I can't wait a day or two days or three days because this is my home and this is where I work, and this is where kids move around. So that's why it's necessary for us as citizens to be out on the street cleaning it, including human feces. All of the things that go with people that are

addicted and living out in the world. So that is an issue. I mean, it just doesn't happen quickly. I appreciate that 311 is a number that we can call, and I do use those numbers, and I do report camping and I do all of that. And that takes days. And usually weeks to be addressed for, you know, reasons that are, you know, the services are not robust enough. Don't know. And in that intermediary time there are there's heightened drug use. I am moving junkies out of the alley behind my building daily becomes this thing. So I am just supporting what michelle and david have said. And I also support what pete said too. And thanks of the city agency. And I'm hoping, please, that we will get on it and move this forward quickly. Thank you.

**Speaker:** Thank you. I appreciate it very much. And by the way, maybe surely we could make sure that the new district four commissioners receive the link to today's testimony so that they are well versed on what we've been hearing this morning. Okay. That completes the communications. Have any items been pulled off the consent agenda?

**Speaker:** One item.

**Speaker:** 1036 1036 has been pulled off of consent. And could you please call the roll on the remainder of the consent agenda? Keelan maps I Ryan I gonzales I Wheeler. All right. The consent agenda is adopted to the first time certain item item number 1026. It's a resolution.

**Speaker:** Adopt the north Portland in motion plan.

**Speaker:** Colleagues, the purpose of this resolution is to adopt the north Portland in motion plan document, which outlines a near term investment strategy to support active transportation and transit use in the north Portland peninsula area. North Portland in motion includes a prioritized list of projects throughout north Portland that will increase access for people walking and biking to everyday destinations such as schools, parks, community centers, and neighborhood main

streets. This resolution does not propose legislation or include changes to specific city policy. So with that, i'll turn it over to the dca president. Welcome.

**Speaker:** Good morning mayor. Good morning. Council. For the record, I'm priya powell, dca for public works. Today we are presenting north Portland in motion. Plan for your consideration and adoption. The plan outlines a near term investment strategy to support active transportation and transit use in north Portland peninsula. It includes a prioritized list of projects throughout north Portland that will increase access for people walking and biking to every everyday destination, such as schools, parks, community centers, and neighborhood main streets. As mayor mentioned, this resolution does not propose legislation or changes to specific city policies. Instead, it sets the stage for implementing the plan's recommendations by officially adopting the plan as a guiding strategy for north Portland's transportation infrastructure improvements. North Portlanders have long desired a community, community driven plan for investing in a transportation network that is safe, accessible, and helps people get where they need to go in a reliable and affordable way. And neighborhoods in north Portland, especially those further north, are among the city's most diverse and as far away from central city as many neighborhoods in east Portland. North Portland is also home to many large scale affordable housing developments, including new columbia, the largest affordable housing development in the state of Oregon. Yet this area has long faced challenges due to a number of unique natural and human made barriers that disconnect it from the rest of the city. These barriers are most acutely, acutely felt by people seeking to get around without relying on a personal vehicle. North Portland deserves the city's attention and delivery of long desired transportation investments to serve the area, and the north Portland in motion plan serves as a roadmap for how we get there together. Pbot has worked hand in hand with north

Portlanders through a robust community engagement process to identify priorities and the needs for investment, and this plan honors that input through collection of projects and programmatic recommendations specific to north Portland. We are proud to present today the resolution today to adopt north Portland in motion plan. And with that, I will turn it to mike scioscia, who will provide a short overview of the plan. And then we will hear from three invited speakers.

**Speaker:** Good morning, City Council. I'm just getting my slides up here. Thank you. One second. Okay. So all right. One second. You think after four years of hybrid work, we'd have this down pat?

**Speaker:** Not at all.

**Speaker:** All right, i'll just do it this way instead.

**Speaker:** It actually did pop up for a second.

**Speaker:** Oh, okay. That's good. Let's see. Derek goes I think I'm sharing. Okay. I think that is that's perfect.

**Speaker:** Yeah. You've got full screen here.

**Speaker:** Thank you. Thank you for your grace on that okay. Good morning mayor Wheeler. Commissioner Mapps. Commissioner Ryan. Commissioner Gonzalez, it's an honor to be here with you. This morning. For the record, my name is mike serratella. I'm a senior planner at the bureau of transportation. And over the past several years, I've had the honor to be leading pbot north Portland in motion planning effort, which i'll discuss with you this morning. I have a brief presentation that outlines the purpose of the plan, highlights our community engagement process, and outlines some of the key recommendations contained within the plan. And as mentioned, i'll be joined by a number of north Portlanders today who will each share and speak from their own perspectives about what this plan and planning effort means to them and their neighbors. So, without further ado. This

this jump in north Portland in motion is the result of a multi-year community engagement. Transportation planning effort focused on the north Portland peninsula. Our study area focuses on the residential and commercial areas of the seven neighborhoods of the peninsula, each with their own unique character and feel. This is an in motion area plan. Our fifth such plan after east Portland. In motion was kicked off. This this pattern of area planning in 2012 when we began the effort, we set three primary goals focused on both how we do the work and also what the end product is. Those goals focused on engagement with north Portland, understand their needs, delivering a plan that outlines a roadmap for near term investments to support walking, biking, transit, access and safe streets in north Portland, and to establish and build new relationships with community based organizations so that as we implement the plan, we can come back and get feedback and input and involve the broad community as stewards of implementation, we believe we've met these goals through this planning process and are excited to bring this plan to you today to share and to get adopted. So we humbly ask council to adopt north Portland in motion and its recommendations. Recommendations by resolution. As a non-binding city policy this morning. This action allows us to commemorate and honor the work that we've done to date, leaving us also the flexibility to engage deeper with north Portlanders as we refine designs through additional engagement specific to each project. And that kind of subsequent project development work that happens as we implement projects on the ground. Our public engagement for this plan was extensive and took place primarily through the second half of 2021 through early 2024. We used a wide variety of methods to connect with north Portlanders from traditional methods like public meetings and online open houses to more kind of flexible, adaptable approaches. Our goal was to meet people where they were, whether that was at

the farmer's market or a school event, or a street fairs or other types of community events already happening in north Portland. We had several online open houses with strong participation at each. At each point in the plan, from neighbors all throughout the peninsula, we presented dozens of times at neighborhood association meetings and business group meetings and town halls and conversations pretty much said yes anytime we were invited anywhere. Our goal was to reach as many people as as possible, to understand as many perspectives as possible, and to bring those into the plan. We also had a special emphasis on elevating and connecting with folks that have been historically left out of planning processes, such as these. And so and to do that, we hosted multiple events and partnerships with new columbia, which is the largest affordable housing development in the state of Oregon, located in the portsmouth neighborhood, but also with other affordable housing residents and affordable housing providers all throughout north Portland, including renaissance commons and kenton miraflores development. With the cdc and the portsmouth neighborhood. And we wanted to just make sure we were connecting with people in their, you know, in their neighborhoods and their communities to understand their localized issues. And so, as I mentioned earlier, you know, one of those goals was to set up and establish those new and strengthen those new relationships and bonds with organizations throughout the peninsula so that, again, we could come back, connect and make sure that we're doing right and honoring the input that we heard during the planning process. Sometimes these projects can take years to actually get on the ground. So it's important that we check our check our work at each stage of the process. And so we learned so much by engaging with a lot of these organizations listed here, not just shaping the individual projects and programs, but also helping us deepen our understanding of the transportation challenges and problems that

north Portland and motion addresses in the plan. So speaking of problems, north Portland in motion really addresses three kind of key challenges that are unique to the north Portland peninsula. This plan focuses on overcoming barriers to walking, biking, and using transit, both physical and social. But what does that mean exactly? It means investing both in infrastructure and people, sort of the hardware and the software of our of our transportation system. For instance, this plan builds sidewalks and crossings so that people can access the bus on north willis boulevard, line four and line 35 connect portsmouth neighborhood all over the city, but it also emphasizes beyond the infrastructure, partnering with affordable housing developers in the area to make sure that their residents have access to pbots amazing transportation wallet for all program, which lowers transit costs and makes that it lowers the barrier to using transit. This plan also focuses on improving neighborhood access. Recommended projects are built around providing safe, comfortable, and convenient access on foot and bike to everyday neighborhood destinations like schools, parks, community centers, libraries, main streets. We understand that north Portland at the corner of the city, many folks work far from their home in the columbia corridor or downtown, and walking and biking those long distances may not work for every single person, but when they get home, at the end of the day, we want to make sure that they can walk with their kids to school. They can walk down to the neighborhood shop, they can access services without having to depend on a car. And this plan is grounded in the theory of transportation justice. North Portland is racially and economically diverse, part of the city of Portland, and this plan prioritizes projects in areas with concentrations of lower income households, people of color, and addresses long standing inequalities in our transportation infrastructure system. So what's in the plan exactly? The plan includes the priority project recommendations, including the plan are divided into

two major categories neighborhood greenways and corridor improvements. Neighborhood greenways are networks of quiet, calm, local streets that connect people to everyday destinations like parks and schools. As I mentioned before, and corridor improvements, which focus on the peninsula's busier streets, these projects vary by context and need, but generally include elements like adding safe pedestrian crossings, upgrading street lighting to make pedestrians and bicyclists more visible, upgrading bikeways especially on streets that cross major barriers like the railroad cut that divides st. Johns from portsmouth, or i-5, which divides the peninsula from the rest of the city, and improvements to access to transit. Dignified places to wait for the bus, and ways to help speed up and improve bus time travel reliability. The other these types of projects work together, creating a comprehensive network that offers a set of cost effective investments that we can make at the city, and a strong return return on investment in helping improve access to these to these modes of transportation. In addition to projects, the plan also includes a dozen program recommendations, which go beyond individual projects and address things like street activation, community placemaking, and other partnerships with civic organizations. Government organizations, schools, etc, etc. Sort of all the extra fun stuff that that encapsulates all the work that we can do in the right of way. So the plan identifies a complete peninsula wide network of neighborhood greenways, including seven tier one projects that will be focusing on first considered. Together. This greenway network. The new greenways here are in the darker green. The lighter green lines connect all the different networks together. They will provide direct access to schools, parks, community centers, commercial areas, all the important destinations that people love in north Portland. These are the kind of foundations of our safe routes to school system as well. It adds 11 miles of new neighborhood greenways, doubling the network in size and

expanding access to every neighborhood in the peninsula. Today, there's a couple greenways here and there throughout the peninsula. This creates entire, complete networks at the neighborhood level that work together to create a peninsula wide, low stress way of getting around some of these projects on the map here, already on the ground, we built this last summer summer in project development now and others will require more extensive and intentional community engagement as we refine our approach during our implementation strategy. The plan also includes many quarter improvement projects, including nine tier one projects. As I mentioned, these focus on enhancing bike and pedestrian safety, improving access to transit, and creating safer conditions for people driving elements vary. As I mentioned, but these are all these projects focus on kind of implementing adopted city policy, right? Building crossings that were identified in our pedestrian master plan, upgrading those key bikeways that connect neighborhoods across barriers, you know, bringing our corners up to ada standards, making sure that our bus stops are accessible and dignified places for people to wait as they access for transit services. In addition to the projects, the plan also includes a dozen program recommendations, which are distinct from individual projects intended to be kind of applied holistically. I don't have time to get into all 12 of them today with you. I wish I did, but some of the highlights from this section include strategies to maintain and expand the tree canopy in north Portland in coordination with our pbot capital projects, partnerships with affordable housing developers to reduce costs for transit. Improve access to shared and personally owned bikes, and opportunities for community led street activation and placemaking. This is such a fun element for us. During the planning process, we had a couple pilot projects, including partnership with the st. Johns booster to activate and add street furniture and other activation elements, and the st. Johns

plaza in downtown st. Johns, and also working with James John elementary students in the fourth grade art class to design and install one of the largest community murals in north Portland as a part of activation of the Charleston Greenway, which was built this summer. Here's a picture of that greenway here, showing that super amazing rainbow dragon that connects the main street to the school, to the farmer's market, to the library. So speaking of implementation, we're already working hard getting projects on the ground. We had a couple of tier one projects already hit the ground this summer, funded through our Fixing Our Streets program, which in 2020 allocated \$500,000 for early project implementation in north Portland. In motion. In addition to programming those funds, we've also been opportunistic and strategic, leveraging our pedestrian network completion program to add high visibility crosswalks on our corridor improvement network, and also working with our vision zero team to add traffic calming and street lighting in response to a tragic, fatal crash that occurred in fall 2022 on North Chautauqua Boulevard. And we've got more in the works with north Portland, and through a timely alignment with the Portland Clean Energy Fund's climate investment plan. That plan program \$20 million over five years to PBOT through what is called the strategic program, 30 active transportation small capital projects, of which \$5 million has been allocated for implementing north Portland in motion, recommended projects this starting this coming summer and going over the next five years. This mutually beneficial partnership reinforces shared values and commitments between PCEF and PBOT, specifically to decarbonize our transportation system, which contributes to more than 25% of carbon emissions locally, and centering investments to benefit priority populations and underserved communities. A particularly exciting project in the works for this summer is a series of neighborhood greenway connections all throughout the Portsmouth and

university park neighborhoods, linking schools and parks and affordable housing developments all together. This was a major project that emerged through our engagement new columbia and the cdc, and we're excited to deliver on this project. And so this brings us to the end of my presentation. We've worked. We have so much exciting work ahead of us. I'm excited to talk with you all and answer your questions. I just want to close by thanking all of you for your time and consideration. This morning. I want to thank my team at pbot who I value and love and appreciate more than words can say. I want to thank the members of the plans community advisory group who worked incredibly hard and challenged us as a city to deliver a great plan for north Portland. But most of all, I want to thank the countless north Portlanders who spent time engaging with us over the past three years to shape and mold this plan into what it is. This plan is a love letter to north Portland, built for and by people who love this special little fifth quadrant so much. Thank you, north Portland. Thank you mike.

**Speaker:** We have three invited members for testimony rebecca small, nick coda, and jessica fletcher. If you get tired of waiting.

**Speaker:** Welcome.

**Speaker:** Thanks for being here.

**Speaker:** Thank you. Do I get to go first? Is there anybody else? Okay. Perfect. Let me pull up my notes. Real quick. Well, thank you, mayor. And councilors and specifically district two councilor dan Ryan here. My name is nick coda. And I'm here to speak for the overlook neighborhood association as the representative on north Portland emotions community advisory group. Back in 2017, after years of expensive repairs and the all too mentioned rising rents, we can no longer afford our family car, our family decided that the money saved on car payments and repairs could otherwise go towards our rent. So since then, and for the last seven

years, my partner jenna and our newborn son archie got around solely by walking, biking, and taking transit from our place in north Portland. When I heard of the opportunity to represent overlook and pbot latest in motion plan to invest in north Portland and make walking, biking, and taking transit for my neighbors safer, I simply could not ignore the opportunity. Public safety is our family's number one priority, and I often hear it is also all of yours. And to me, making streets safe is exactly that. It's public safety. So for today, I just want to shine a light on one of the many north Portland emotion projects that's dear and dear to my heart. And that's what is going to be happening on north ainsworth street. I love ainsworth, I lead a monthly overlook ride with neighbors on ainsworth in 2023. I even led a pedal palooza ride that was solely ainsworth themed. I actually got probably a good 1516 people to show up for that, so I'm pretty stoked about that. Anyway, I still lead a weekly bike bus that crosses it every week for beach students. Shout out bobcats! Lastly, as a neighbor who lives up against i-5, the ainsworth overpass is essential to our family's access to so many places. However, ainsworth has proven to be a sour spot for overlook and arbor lodge neighbors. Ainsworth's wide hot pavement and wide overpass over i-5 is abused every day by dangerous drivers who'd rather drive quickly and dangerously through north Portland, even past ockley green middle school students and beach students who have no other street to cross i-5. After several bike rides and community events focused on ainsworth, the project now proposes new crosswalks for students, improved lighting for long winter nights, bike lanes to separate folks, and bikes were needed. It also extends north Portland's all to small tree canopy. All in essence to calm traffic. All this adds together so that ainsworth can go back to being a quiet neighborhood street overlook and arbor lodge residents need to be without any investment. Ainsworth acts as a barrier for our communities. Instead of a connector. So overall, what our

group and pbot staff have compiled is just one small piece of projects, and it will do wonders to make north Portland street safe and welcoming. For those of us who rely on walking, biking and taking transit. And for the many of your constituents who don't have a choice, I am excited to see these projects get greenlit and bring much needed investment in north Portland streets. Thank you commissioners, and thank you pbot staff for your continued work. Thank you.

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

**Speaker:** I believe rebecca small is online.

**Speaker:** All right.

**Speaker:** Good morning. Members of City Council. My name is rebecca small and I had the honor of representing friends of columbia park, a local stewardship group for columbia park in north Portland in the kenton neighborhood, and also as a ten year resident of the kenton neighborhood in the north Portland and motion process. If you've spent any time in north Portland, you know what a special what a special place this is to live. We have we have such a wealth of parks and wonderful small businesses that are really the beating heart and soul of our community. And north Portlanders do not want to gatekeep. We want everyone in the city of Portland and we want all of the residents of north Portland to be able to access those special places. We want people to come with their whole families to visit columbia park and walk through our incredible tree canopy. We want to bike with our friends up to cathedral park for the jazz fest in the summer. We have so many things throughout the neighborhood that just create an incredible quality of life for our neighbors and we want everyone to have access to them. We want it to be safe and comfortable for people to get to those things on foot, by bike, by transit or by car. If that's how they choose to travel. But we do have barriers. We have we have some major barriers. We have some state highways in the neighborhood. Lombard,

columbia. We have some physical barriers. We have the university or the union pacific cut that, you know, bisects saint john's st. Johns from the rest of the city. And we have, you know, we have edge barriers like i-5. And then we have we have so many little, little missing pieces in our network of greenways and corridors that just make it very difficult to have a safe and pleasant walk to get to one of those neighborhood parks, or to travel to our local business district on denver avenue to hit up the best burrito joint in town. And all of those little barriers add up. We are so excited about the north Portland in motion project, north Portland in motion is a plan that fills in those little gaps. It connects those dots. It fills in all of those little disconnects and makes a network where we can travel safely and comfortably across our city. So that everybody, no matter what mode they're coming by, is able to get to those small businesses to experience our parks that enhance our quality of life and make this a neighborhood that we're proud to proud to call home. Having all of these small projects consolidated into a single plan also positions us to be opportunistic. When funding opportunities arise, or when a grant opportunity comes across. We have these plans collectively. We have all of these projects in a plan ready to go. We can pull one of those projects off the shelf and fund it. And just piece by piece, I know we're going to fill in this network and we're going to we're going to create this connected system where all of us in north Portland can travel around safely to get to wherever we want to go. We've already seen some early successes with willamette boulevard. It gives us so much optimism and hope that this is going to be a project that the city commits to fulfilling and funding, so I would strongly encourage City Council to please adopt this plan. That would mean so much to our neighborhood, so much to our residents. This plan that would make it possible for people in kenton from all boundaries of the neighborhood to walk with their kids in a stroller, to walk their dog from their home directly to columbia

park. And, you know, just really, really get to experience what what makes our neighborhood our the place that we love to live. So please help us connect all of these dots by adopting the north Portland in motion project. And I would finally, just like to let council know how wonderful city staff has been throughout this process. I, i, I work as a bureaucrat for another local government, not the city of Portland. So I know a bureaucrat when I see one and I just want to say that the north Portland motion team came to our neighborhood meetings, came to our, you know, came to our table, you know, not not so much as, you know, bureaucrats trying to push a plan. They came as they came as friends. They came to listen to where our problem spots were. They came to hear what our concerns were. They spent time with us. They were friendly. They were inviting. They were so encouraging and open to hearing what we had to say. And so we just really appreciate their effort over the last couple of years. This was a good experience for the neighborhood just to participate in, and I think we've come up with a great plan that we're all proud of, and I hope for council's adoption. Thank you, thank you, thank you.

**Speaker:** Rebecca. We have one more invited testimony from jessica fletcher.

**Speaker:** Hello. Good morning, mayor Wheeler and commissioners. My name is jessica fletcher, and I live and work in st. Johns in north Portland with my family. I've lived in Portland since the 90s and have seen our bicycle infrastructure grow first hand. I went to up here in north Portland, and I've been in saint john's since 2017. I'm part of a growing volunteer group leading walking and biking busses to james john elementary, and I bicycle everywhere, and it makes me very happy to have that option. I'm here to express my gratitude for the incredible progress north Portland in motion has brought to our saint john's community, and my encouragement to keep going, because I want our kids to have the option to walk

or bike everywhere. To Mike in the North Portland Motion Team. I completely concur with you, Rebecca has effectively engaged our community to co-create the backbone of a safe infrastructure that people like myself need. I'm bringing softer layers of public activation, encouragement, and community support that makes active transportation accessible and joyful for kids. From the new greenways to our school, parks and library and the Charleston mural that is dear to our school, to the exciting momentum on Willamette Boulevard, this program is laying the groundwork for safer, more connected, and accessible streets. As a volunteer, I can bring the bubbles and music and even connect kids to bikes, or bring our goat to walk with students like I did this morning. But we rely on you for the structural elements that make it possible. And I've seen firsthand how improvements to infrastructure inspire families to embrace walking and biking. Our fuller bike racks are a testament most families would never consider letting their children ride their bikes to school without safe and welcoming routes. So yes, I support North Portland in Motion. Building more greenways, improving the older ones with modal filters, and adding safe walking and biking infrastructure for our most vulnerable. From the youngest to the oldest, the work that has been done is already creating opportunities for our community to connect, engage and reclaim our streets as shared spaces. And this plan fills in more gaps. We are in a historically high crash quarter, and sometimes it can be really scary. And the crossings and the increased infrastructure that Mike and his team has put together are really essential for us. I urge you to continue supporting and expanding these efforts to ensure that every family, especially in our underserved neighborhoods, has the option to move safely and sustainably. Thank you so much. Thank you, thank you.

**Speaker:** I think that concludes our invited testimony.

**Speaker:** All right. Very good. Colleagues questions now or should we go to invited testimony? Very good. How many folks do we have signed up?

**Speaker:** We have four people.

**Speaker:** Very good. Three minutes each. Name for the record, Keelan will call you up.

**Speaker:** First up, we have matt villers online.

**Speaker:** Welcome, matt.

**Speaker:** Matt. You're muted. Hi. Sorry I just got the prompt to join as a panelist. Hello my name is matt villers. I'm a resident of the saint john's neighborhood in north Portland. I want to express support for the hard work that mike and the team at pbob has done on this plan. I've been following it with great excitement for a while now. The speakers before me already touched on a lot of the really main issues around, you know, barriers in the community and some of the benefits that we're hoping to see from this plan. So I mostly want to speak from kind of personal experience, both experiencing the benefits of some of what's already been done. I currently live on a neighborhood greenway. I get the joy of looking out the window and seeing people, you know, walking with their families, walking their dogs, hundreds of, you know, families and kids biking by every day. It's quiet speed bumps, and we have concrete diverters really to thank for kind of the benefits of that. Right. And I want my neighbors to have those same benefits. I want them all to feel kind of that same way that they can go out, they can walk on the street, they can let their kids bike to school or the park. Right. And just kind of have that freedom to go around and enjoy our nice downtown. Right. I really appreciate the recommendations in the plan, even addressing things like lombard, the saint john's bridge, you know, we have forest park right on the other side. We have the bridges, arguably the most iconic landmark in the city, and it's kind of a shame that the only

really safe, comfortable way to visit is in a car. Right? Like, how great would it be to be able to hop on a bike with your kids, cross the bridge and go to the forest park trailhead? You know? So really, there's a lot of things in here that are great recommendations that we're already seeing benefits from and that I'm really looking forward to in the future, even for like getting across the cut for transit access, for some of our neighbors, especially further north in saint john's, who have quite a walk to even get to a bus stop in the first place, right? So again, just very excited for this. I hope that we'll be voting to adopt it. And thank you very much to everyone involved and everyone who's come to speak in support. Thank you.

**Speaker:** All right. That completes.

**Speaker:** Oh, sorry. We actually have three more.

**Speaker:** Oh I'm sorry I'm sorry about that. Thanks. Keelan.

**Speaker:** Next up we have ali holmqvist online.

**Speaker:** Welcome, ali.

**Speaker:** Thank you. Good morning, mayor and commissioners. And thank you for the opportunity to testify today. I'm really excited to be here. And for the record, my name is ali holmqvist. I am here to offer strong support for the north Portland in motion plan. It's a vision which will transform our community as a participant on the community advisory group, I have seen firsthand the incredible effort and collaboration that went into crafting it, and I want to echo rebecca's shout out to mike and pbot staff here for that. I'm also really proud to say each of us is.

Representatives from across the quadrant can specifically point to projects that were included to address needs that we expressed. We worked together not only to identify those projects, but prioritize them based on community needs. These are improvements that will make a real difference in the lives of residents across north Portland. The plan is a game changer for people like me who regularly walk, run

and ride in the area. It addresses critical barriers with marked crosswalks and protected bike lanes on key routes such as north willamette boulevard. For instance, the early completion of the bike lane gap between north ida and richmond, which is part of my daily bike commute from saint john's to the district, has already had a profound impact. It's safer now. I no longer have to dodge parked cars, and traffic has slowed, making the street feel calmer and more inviting. Like nick, I'm looking forward to a similar future for ainsworth, but this plan isn't just about transportation, it's about building a safer, more connected community. It creates low stress greenways that families can use with confidence to get to local parks. It calms traffic for students walking, rolling and riding transit to the university of Portland, and it improves access to vital destinations like libraries and schools. It also connects affordable housing to commercial districts with safer crossings on major streets and new bike lanes to lombards business corridor. All of these improvements support active mobility for healthier residents and a healthier planet. This plan is particularly powerful because of its commitment to equity. It doesn't just focus on improving infrastructure, it works to remove barriers for marginalized communities by expanding initiatives like biketown for all and the transportation wallet program, it will make biking and riding transit more accessible, especially for low income residents, who often face the greatest challenges in transportation. This plan isn't just a vision, it's a blueprint for Portland's future, a future where our streets are safer, our communities are more connected and everyone can thrive. I urge you not only to adopt this plan, but to commit to its implementation with the funding and support it needs. There's a huge opportunity to partner with the pcef program to see this blueprint become a reality. Your leadership will be critical to ensuring that all the different agency partners will come. Together to realize it. Thank you.

**Speaker:** Thank you.

**Speaker:** Next up, we have marcy mcfarland online.

**Speaker:** Hello, my name is marcy mcfarland.

**Speaker:** I'm a longtime resident of north Portland. I moved over here in 1988 when nobody would move into this neighborhood. Although I do appreciate a lot of the bike transportation needs that we do hold there are some problems with some of this program and I have voiced my opinion. So that is why I'm here again today. Everybody talks about low barriers to transportation, safe routes to school. Yet where I live off interstate and going, we have a large homeless camp which is completely covered with drug addicts and putting in a bike lane or improving the walkway is not going to stop that. We need to clean up those areas. You know, we have the large street takeovers along detroit. So putting in a bike lane is not going to stop that. I agree that we do need safer routes. Changing alberta to one lane so that kids can get across the highway. I agree that those sidewalks should be widened, but I think that you're going to end up with a lot of backup on that street. I appreciate with what jessica and mike and rebecca have said, as well as others that our neighborhood has been underserved in many ways. But as somebody who just went through the death of my husband and having to use my car to get him around, I found quite difficult. I found it quite difficult to get around with a lot of the bike lanes, grocery shopping for a family of four on the mass transit is not a way to have to. It just doesn't work. You can't carry toilet paper and a gallon of milk and everything else you need on on trimet. And let's let's look at trimet. I mean, last time I took trimet, I sat next to two people smoking fentanyl. So we wanted to have it safe, but we still have a problem with a lot of the other things that are happening in our community, especially north Portland. I would like to see, you know, you talk about the bike racks being filled. I'm a block from beach school. Those bike racks

are not filled. I do not see those bikes filled. I see kids riding. I also see bicyclists who blow through the stop signs on Alberta and I'm off. I'm almost hit them. They're not supposed to blow through that, but they do. So I think that we need to relook at some of the things that are doing. There's a lot of things that are happening that are really good, but there's a lot of things there that just aren't working. And I think that if we clean up our streets better, we'll have safer routes. So let's get rid of some of the problems that we have before we start making new ones. Thank you for your time.

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

**Speaker:** Next up we have Janine Despain. Welcome. Janine doesn't look like they're here. That completes testimony. All right.

**Speaker:** Good colleagues. Any questions? Yeah. Commissioner Ryan.

**Speaker:** From Mike. Mike, you're there. There you are. Mike. Hi. Good work. Got a lot of praise and attention today, and that's obviously well deserved. So thank you for your service. A couple of questions. One is I just want to know the difference between a tier one and a tier two greenway. I was trying to figure that out. I was looking at your map.

**Speaker:** Yeah. No, thanks for asking the question and thanks for thanks for your words of praise. I know you love North Portland very much. I do too, and I'm excited to be working with you on the new district, with the new district two framework, on realizing a lot of these projects over the next couple of years. So the big difference between a tier one and tier two, you know, when we started this plan, we had a lot of ideas. We actually had way too many projects and we had to do some filtering around what was something that we felt was a top tier and a second tier priority. And so we looked at network completion gaps in the network connections to destinations, neighborhood demographics, any kind of crash history speeds and

different things like that. When trying to suss out what was what, what should we bite off first with this plan? And so that was the differentiating factor with the greenways in terms of putting things into tier one and tier two, that said. So the tier one projects are going to be our focus first, right? Those are the ones that we're going to actively program resources against, actively do community engagement and project development with, to get on the ground. However, as I think rebecca mentioned in her testimony, we are optimistic when we are implementing these projects. And so if there's a leverage opportunity, if there's a grant funding opportunity, we will pursue any of these projects as much as we can, as quick as possible. So yeah, tier one tells us this, this work on these first. But when we look at the whole picture, we, you know, we keep our eyes open and look for ways to get things done as quickly as possible.

**Speaker:** Okay. So tier one is like a phase one. It's more sequencing. It's not a structure change. Exactly. Okay. I was I need to ask that question. The other one is I live between ainsworth and rosa parks and there's a really wonderful bike lane that was established a while ago on rosa parks. And ainsworth isn't that far from it. So just tell me what that dialog was about. Is there problems with the rosa parks bike lanes? No, not not not specifically.

**Speaker:** I think the ainsworth, the genesis of the ainsworth project kind of came out of two, two places. One is that we heard input and feedback from arbor lodge and overlook neighbors concerns about speeding traffic, cutting through the neighborhood, mostly around the pm rush hour, mostly regional traffic cutting through to access the freeway ramps down on greeley. Right. So we had done some neighborhood greenway projects in the area on the western side of arbor lodge on bRyant street and delaware, and people had seen how managing traffic, slowing down speeds, managing traffic flows has helped not just build out new greenways,

but also help improve neighborhood livability and keep our local streets quiet and calm and so overlook neighbors. Our neighbors kind of reached out, raised this issue, and we looked at it and we that's that was sort of the genesis of the project. We said, hey, I think we can treat this as a neighborhood greenway. It actually serves a little bit of a different type of trip serving the neighborhood. Access to ockley green middle school and across the i-5, kind of a little bit more of a quiet and calm type of experience for people walking and biking. But also, can we address some of these long standing issues around cut through traffic? So in many ways, the ainsworth and rosa parks projects work together. Think of rosa parks and willamette boulevard together as this like super bike active transportation. Highway linking saint john's to northeast Portland and so on and so forth. Whereas ainsworth is really much more focused around that local neighborhood access and really around our village and overlook to ockley green, to interstate and across i-5.

**Speaker:** Yeah. And there's also one on concord at greenway. So yeah, that's that's your north south and east west. And I think what I'm getting out of this is I try to not drive on greenways because as a, when I bike, i, I like it when there's no cars on there. And so and I wish google maps would not navigate us towards those. You ever looked into that a further conversation? My point is, I appreciate that. First of all, I'm supportive of this and I'm serving with two amazing people in district two and will be digging into this further. But I just wanted to get some context setting on that. And so the ainsworth one just popped out because you also hear from neighbors when we have bike infrastructure that's really close together, then you have people who do need cars, like one of the testimony that they don't know where to go sometimes. And then there's that area, sorry, my colleagues, I'm going to get really micro on this neighborhood. Welcome to the new City Council at this point. Yeah. West of greeley where they're, you know, feeling maybe trapped on

how do they take a left turn? How do they access the businesses down in kenton? And so I know that these are recommendations and things will be worked out. So I just hope that we continue to listen to those voices who, like me, support bike infrastructure and just want people to be safe and are trying to find places where cars can drive and then not be in the way of bikes and pedestrians. Does that make sense?

**Speaker:** Absolutely. Yeah, absolutely. I mean, I commit to, you know, specifically with ainsworth, we have a little north Portland moment here getting into the weeds. But you know, when we identify that project, what we're saying is like this, this project deserves our attention. It deserves our focus and effort. But I will commit, as I have with nick, with overland overlook neighborhood association as a due to arbor lodge and other neighborhood, you know, localized folks in and around that area. Middle school for instance, to do that engagement and figure out what works and what doesn't. The last thing we want to do is solve one problem here and create another problem over here.

**Speaker:** And that's that's the dialog we're having right now. And I can see you're open to that, because I know when you're forced to take a right there, then you'll have to take a left off greeley. And good luck trying to take a left off greeley in many hours of the day. So pbot will probably have to look into left hand turn signals if in fact that goes through so you don't have those on there. You know that. My other question is I didn't hear anything about freight. And we know that north Portland has a lot of our industrial land, all the goods and services that people who bike and others want to have goods come to their doors. And columbia boulevard is obviously one of the main expressways. There's been some indigestion from some freight people. When we made the change on lombard and we went to one lane. So it's harder, it's tougher to get through and I just wanted to know what was the

engagement like with that community who who need to navigate through north Portland as well as you mentioned, we have designated byways of highway 30 and such.

**Speaker:** Absolutely. So in terms of, you know, when we're scoping an area plan for the neighborhood, early on, we made a decision to really focus on smaller scale small cap projects that are more neighborhood focused. And all of that, you know, freight projects are essential. And columbia corridor and all the goods and all the jobs and all the economic development that happens around swan island and all that is totally essential to our city's economic growth. And economic future. Many Portlanders work in in these areas as well, but we made a decision based on the anticipated project budget. You know, we're talking about a \$5 million over five year investment, 1 or 2 traffic signals on columbia boulevard, probably about \$5 million. And so we decided to focus kind of south of columbia, essentially on those neighborhood streets with the smaller improvements and let freight, you know, and kind of and in the plan, I do identify a north columbia future action that we need to really look at how that street works for freight access. But also for safety and other operations that happen on that corridor. It was just outside of the scope of what we could honestly fulfill with this plan. And I always wanted to be as authentic and forthright about the expectations that we set with community. When we do these planning processes, because I want to deliver it on the terms that we set out when we engage with the public.

**Speaker:** That's fair. And thanks for rightsizing this about how this is smaller scale. And I was also thinking about the big the big loop and how this would coordinate with that. And now it makes sense that this is more micro boutique changes, if you will, and not large scale ones anymore. Thank you for this dialog. I appreciate it.

**Speaker:** Absolutely. And, you know, as as the world changes next year, we'll make sure to work through the appropriate channels with district two, City Council to engage and communicate about these plans as we get them on the ground.

Thanks.

**Speaker:** All right. Very good. Colleagues. Any other questions? Seeing none, please call the roll on the resolution maps.

**Speaker:** I'm delighted to vote in favor of adopting my icon. There you go. As I was saying, I'm delighted to vote in favor of adopting the north Portland in motion plan. I should have started out by saying, I very much appreciate all the public testimony we heard today. I think we have learned that this initiative is more than a transportation strategy. It is a commitment to equity, sustainability and community driven development. This plan addresses long standing concerns of north Portland residents from disconnected biking and walking networks to unsafe crossings. This plan also prioritizes investments in underserved areas, ensuring that all Portlanders, regardless of income or background, can move safely and affordably through their neighborhoods. Today, we've learned an awful lot about about the extensive community engagement which helped shape this vision. And through that engagement, we are fostering trust and building a transportation system that reflects the diverse needs of north Portland. And by adopting this plan, we are taking a meaningful step towards reducing carbon emissions, enhancing mobility and improving the quality of life in north Portland. I want to take a moment to recognize pbot and the many community members who contributed to this transformative plan. I vote I Ryan, first of all, thank you, mike, for your earnest work.

**Speaker:** It was really clear by those who testified that you've been a partner that they can trust, and you brought a lot of neighbors together, and that's not easy.

And yet it's necessary. And I also appreciate the work that has gone into this plan with the stakeholders that went beyond even those mentioned. I know that neighborhood associations said they've been engaged as well. So thank you. I'll be tracking this project, obviously, and I'm requesting to be updated and pulled in for as you consider making edits with my fellow district two councilors, councilors elected guinea and canal. And so with good faith, with hopes of improving neighborhoods together, I vote. I gonzales.

**Speaker:** I Wheeler.

**Speaker:** I want to thank all of you who have worked tirelessly on this. I know there's many, many folks at pbot who've had a handle on this and will continue to do so. I vote I the resolution is adopted next time. Certain item please.

**Speaker:** Item 1027 declare 3.4 acres at Washington park, formerly used by the Portland children's museum as surplus property and authorize Portland parks and recreation to take all actions necessary to dispose of the property through sale to metro. For \$3 million, I would like to thank dca sonia shimanski, epa, and our director, dina long, and the Oregon zoo director, heidi ron for bringing this item forward to us today.

**Speaker:** I'll turn this over to director long.

**Speaker:** Thank you, mayor Wheeler. With over 3 million visitors each year, Washington park is Portland's most visited park, together with our partners like the Oregon zoo, Portland japanese garden, hoyt arboretum, and world forestry center, we've created a world class park and visitor experience. The partnerships in this park is what makes it unique here to date with me to discuss the next chapter of Washington park and the Oregon zoo is vibrant community support services real estate manager dylan paul and Oregon zoo director heidi long.

**Speaker:** Thank you, director long.

**Speaker:** Good morning, mayor City Council, it's my pleasure to be here today to present on this item. As director long said, my name is dylan paul. I use pronouns and also, as mentioned before, Washington park partner ecosystem is interdependent. It's very important that ecosystem, as in it shares parking shuttle services, event and promotional marketing and much, much more. We're here today to talk specifically about a building in Washington park located at 4015 southwest canyon road, known to most as the old amc or old children museum building. In 2021, the building was vacated by the children's Portland children's museum ten years prior to their lease expiration date. Originally, they had planned to build and relocate to a new facility, but they were hit hard by the pandemic and were forced to close their doors permanently. Pbr then conducted a third party building evaluation, and the study determined that the building was not viable for rehabilitation due to its age and condition. After the Portland children's museum closure, the Oregon zoo expressed interest in the site and then performed due diligence and community outreach as part of their master planning efforts, with the intent of potentially acquiring the old museum site for the zoo's ongoing long term resiliency within Washington park. Pac is very invested in the success of all partners in Washington park. Together, we have determined that the best use is to sell this property to the zoo rather than convert it into the expanded surface parking as originally contemplated in the Washington park 2018 master plan. Pursuant to administrative policy disposition of real city property. Other city bureaus were notified, and none of those bureaus have expressed interest in this property. We are seeking. An exception to the existing city disposition, city disposition policy that removes the bureau's requirement to post the site for public sale, as the bureau would not entertain selling such a valuable piece of property without the guarantee that the transaction would result in a very strong and beneficial enhancement to

the park visitor experience. Yes. Vote today formally converts the site to surplus status and allows the city to complete all required transactions included in the attached ordinance. The site's value is unique to the Oregon zoo in that it's zoned open space and requires significant demolition costs that will be paid for by the zoo. The Oregon zoo, and Portland parks and recreation. Good faith negotiations evaluated this property's value and cost of demolition of the existing building. The price determined during these negotiations was \$3 million, a fair price for both parties. It is my pleasure to now hand this presentation over to zoo director heidi rahn.

**Speaker:** Good morning, commissioners and mayor. I'm heidi ron, director of the Oregon zoo, and I'm happy to be here today in support of the Portland parks ordinance concerning the 3.4 acre property directly across southwest knights boulevard from the zoo in Washington park. I want to share a little bit about the Oregon zoo's past, present, and future in the park and provide context for this property. I brought with me a letter of support from the metro council president. So you know, the metro council is all in. Next slide please. The Oregon zoo's history began in 1988, when a downtown pharmacist who kept a collection of animals in the back of his drugstore donated two bears to the city of Portland. The city operated the zoo for more than 80 years in various locations in Washington park. The zoo was transferred to metro in the 1970s, and we've continued to work closely with the city as a critical partner in Washington park. The zoo moved to its current location in the park in 1959, and much has changed in our 65 years there. The past half century, especially, has been a time of profound transformation for zoos in general. As they began evolving from the menageries of old into hubs for conservation science and education. The Oregon zoo has saved species from extinction, increased populations of endangered species, reintroduced animals into

their natural habitats, and advanced conservation science. And we continue to evolve. Today, the zoo is the top paid attraction in the state, drawing local, national and international visitors. Last year, we generated an estimated \$110 million in total economic output, supporting over 700 jobs. We have the support of the community, the \$380 million bond measure approved by voters, by voters in may, will allow us to continue to transform the campus and bring additional spending and tax revenue for the region. In 2008, people across the region voted to make investments in the Oregon zoo with a bond measure supporting animal well-being, sustainability, and education. That bond was transformative. It resulted in a dramatic overhaul of several of the zoo's most popular animal areas, and it transformed about 40% of the campus, which is the dark green on the map in front of you. It allowed us to continue meeting the gold standard for zoos by maintaining accreditation with the association of zoos and aquariums, and we are happy to share that we are one of only two zoos in the entire country who has maintained that accreditation for 50 years. The new Oregon zoo campus plan is about continuing that evolution, and the proposed Portland parks ordinance, involving the 3.4 acre property just across the street could provide much needed flexibility as we begin to implement the plan. As part of our engagement process. Last year, 95% of stakeholders showed support for acquiring this property, which could provide more space on the zoo campus for animal habitats, conservation and education efforts, and guest services, certain administrative functions and support services could move across the street, for example, creating more space within the current campus footprint. If timing worked out, the site could temporarily serve as a staging area for upcoming bond funded improvement projects such as coastal shores, thus easing construction impacts to the zoo. Next slide. We are very excited about what this ordinance could do for Washington park and for our community more broadly,

it would support wildlife conservation while providing educational and recreational opportunities for youth and visitors of all ages. Over the past 65 years, we've learned so much about what it takes to run a modern zoo. We've created better and larger habitats for animals and greatly improved our facilities, but we've been constrained by our physical limitations on the site. This would give us a chance to dream a little bit bigger. Thank you.

**Speaker:** Thank you, director ron, I appreciate your partnership and I'm sorry I can't be with you today in person. Now, we'd like to answer any questions that the council may have.

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

**Speaker:** Sure. Thank you for the presentation today. I was hoping to learn a little bit more about how we determined the price for this property at 3 million. Where where does that come from?

**Speaker:** Sure. We always look at adjacent properties, comparables within, you know, our consultants that we use at the city, as well as different software systems that we use for running comps at the city. In this case, the zoo actually did a couple of appraisals. And for open space, you often find a range depending on whether or not there's existing construction. It's not your traditional open space, which would typically be a field somewhere not within a large. You know, I would say tourist ecosystem in many cases. So it's a moving target. So we combined all of that together, negotiated and came up with kind of a cost benefit for both parties. And I think that we came as close as you could possibly come to what we would consider to be market rate for the transaction.

**Speaker:** Thank you for that clarification, mr. Mayor. I don't have any more questions.

**Speaker:** Very good. Thank you. Do we have public testimony?

**Speaker:** No one signed up.

**Speaker:** All right. Any further discussion on this item? This is an emergency ordinance. Please call the roll maps I brian, I gonzales, you know, the closure of the children's museum was really a tragedy for our community.

**Speaker:** I served on that board pre-pandemic. It was also really a global leader in Reggio Emilia pedagogy. It was a really a both national and international leader in teaching teachers how to reach preschoolers. So I you know, was, with some sadness, acknowledged the inevitability of this. There were pieces in motion prior to the pandemic that, you know, I think the children's museum was going to have to find a new home irrespective of the pandemic. But it certainly was one of the nonprofits crushed by that period of time. So with all of that, I hope I'm hopeful that the zoo can put it to good use for the broader community. I support this vote. I, Wheeler.

**Speaker:** I also want to appreciate the hard work that's gone into this. I hope we can see a better future for this facility. I know it's very tired. I think \$3 million, based on what I know from the appraisal, particularly including the lease and the parking spaces, I think it's more than reasonable. And I thank you for that. I vote aye, and the ordinance is adopted. We'll now move to the next time certain items. There are three that will be read together, please. 10281029 and 1030. They are a first reading of a nonemergency ordinance, a resolution and a first reading of an emergency ordinance, respectively.

**Speaker:** Item 1028 adopt the Montgomery Park area plan, including amendments to the comprehensive plan, comprehensive plan map, zoning map, zoning code, citywide design guidelines, and related amendments to the Guild's Lake Industrial Sanctuary in Northwest District. Plans item 1029 adopt the locally preferred alternative for the Montgomery Park transit project. Item 1030 authorize

agreement between the city Portland streetcar incorporated and 1530 5a1 llc for public benefits related to the montgomery park area. Plan.

**Speaker:** All right. Good morning everybody. What is before the City Council is three items, two ordinances and one resolution. They're related to each other, obviously. First, the montgomery park area plan. Second, the montgomery park transit project, lpa or locally preferred alternative, both continued from November 13th and third, and then the montgomery park public benefits agreement continued from November 21st. These items are being brought to us by the bureau of planning and sustainability, as well as the bureau of transportation for the montgomery park area plan and the transit project. Locally preferred alternative. A hearing was held on Tuesday, November 13th, and oral testimony as you'll recall, was closed on November 13th. Written testimony closed on Tuesday, December 3rd at 5 p.m. For the montgomery park public benefits agreement. A hearing was held on Thursday, November 21st. The oral testimony was closed that day. On November 21st and written testimony closed on Tuesday, December 3rd at 5 p.m. So we'll start with the montgomery park area plan and as you will recall, we had several amendments to the montgomery park area plan that were moved and seconded as a package. Colleagues will just take a moment to review those amendments, and I will ask, well, they're already being brought up on the screen. The first one that you will see there that you will recall was commissioner Rubio's amendment. It renamed the vaughn nikolai plan district to the york plan district. This amendment is in response to a request by the york collective, formerly known as the york work group. And we can now vote on amendment one unless there's any other questions or comments on amendment one, please call the roll.

**Speaker:** Maps. Hi, Ryan. Hi, Gonzalez. Hi, mueller.

**Speaker:** Hi. The amendment is adopted. Next are the amendments that I introduced, amendments two and three. They were technical amendments identified by our city staff and amendments four through eight involve minor changes to code provisions and response to testimony that we heard. These amendments were posted on the project website on November 6th prior to the hearing at the November 13th meeting, I also presented a nine a number nine amendment to the zoning map and regulations that were necessitated by changes in the related public benefits agreement. I indicated that staff would craft and post those amendments as code language on the project website by November 27th, 2024. Staff has done so, so I move to make a friendly amendment to amendment nine to reflect the actual code changes which have been put into place. These are reflected as amendments nine a and nine b and presented in the November 27th memo. Can I get a second, please, to the amendment to amendment nine? Second commissioner Mapps moves any further discussion? Please call the roll maps.

**Speaker:** I Ryan, I Gonzalez, I Wheeler, i.

**Speaker:** Amendment nine is now amended. We can now vote on amendments two through nine as one package. Any further discussion on any of the amendments? Keelan. Please call the roll. Mr. Max, i, Ryan, I Gonzalez I mueller I the amendments pass. So to reflect and incorporate the amendments that we have just passed, we also have an amended ordinance, amended findings and the amended area plan to reflect those changes. So i'll ask our staff to please provide an overview of the document that is being considered today.

**Speaker:** Thank you so much. Mayor. Members of the City Council, patricia diefenderfer for the record bureau of planning and sustainability. There are several documents that we are bringing to you today to replace. First, the ordinance has been revised so that it's directive directives reference the as amended report, which

includes the amendments you passed today. Second, exhibit a contains the amended findings of fact report for the plan, which has been revised to provide further explanation in response to testimony and for general clarity and clarification. Finally, exhibit b, the as amended, montgomery park area plan volumes one through five have been amended, have been revised to reflect the amendments voted on by council today.

**Speaker:** All right. Very good. So at this point then I would call. Well, I will make a motion to vote on the package as amended. If I can get a second, second commissioner Mapps seconds. So just to be clear, we're replacing the documents with the as amended montgomery park area plan ordinance. That was exhibit a and exhibit b, correct. Just to make sure we got that right, please call the roll. Hi, Ryan.

**Speaker:** Hi, Gonzalez. Hi.

**Speaker:** I vote hi. So with this vote to replace the amended ordinance for the montgomery park area plan, which we just did the as amended findings and as amended plan. The amended ordinance will now pass to a second reading for a final vote on December 11th. So thank you for that. Now we will move to item 1029. This is the lpa. The locally preferred alternative to the streetcar extension transit project. So I will ask we've already called that item. We are not voting on this item today just to be clear, rather than the vote on this item today, this item will be continued and I need legal counsel to listen carefully to make sure I don't screw this up. Since this is land use and it's complicated for a reason, the reason is because it's land use. And if you want any further explanation beyond that, I cannot help you. So rather than vote on this item, this item is now continued to December 11th to be voted on with the other related items.

**Speaker:** Can I ask a question on this one?

**Speaker:** Legal counsel eagerly awaits your question.

**Speaker:** Why is this on the agenda today?

**Speaker:** Carry over to the date.

**Speaker:** I think because it was continued to today. So if we had continued it when we knew it was going to be voted on, that would have been great. But we didn't. So we're continuing it today. Okay. Thank you.

**Speaker:** Good. All right. So finally we get to the final item. There are two sets of amendments to the public benefits agreement. The third item that was called, as you recall at our November 21st meeting, there was an amendment made by commissioner Ryan. That amendment was seconded. My recollection is that amendment adds a requirement both for data collection as part of the middle wage jobs report, that the property owners will prepare. That was the gist of it as as I recall. Is there any further discussion on commissioner Ryan's amendment, which has been proposed and seconded? Please call the roll. Mapps. Hi.

**Speaker:** Ryan.

**Speaker:** Hi. Hi.

**Speaker:** Hi. The amendment has been adopted. Now, there are also a few additional technical amendments that council needs to consider today. I'd like to amend the public benefits agreement to change the name of the york work group to the york collective. Change the name of the plan district in the pda to the york plan district to make the name consistent with commissioner Rubio's amendment to change the name of the district in the plan and to include exhibit c, exhibit c, as I'm sure you all recall, was already referenced in the filed agreement, but it was not actually attached to that agreement. And it is a covenant that describes in more detail how the affordable housing components of the agreement will work. And that needs to be included and attached. So I moved to amend exhibit a, the public

benefits agreement to change the name of the plan district to the York plan district, change the name of the York work group to the York collective, and to add exhibit C to the PDA. Is there a second?

**Speaker:** Second.

**Speaker:** Thank you. Commissioner Mapps, is there any further discussion on the amendment? Please call the roll maps.

**Speaker:** I Ryan, I Gonzales, I.

**Speaker:** So the amendment is adopted and it's now all all of those amendments and changes are now consistent and in the plan and with the appropriate exhibits attached with this vote to amend the Montgomery Park benefits agreement, public benefits agreement, the ordinance now passes to second reading for a final vote on December 11th. Be there. All three of these items are continued to the City Council meeting on December 11th at time certain 10:30 a.m. Is that what you have? Keelan 10:30 a.m. Time certain for a second reading on the as amended, replacement documents and the public benefits agreement and a final vote on the transit project locally preferred alternative. I now see that wasn't so hard, was it? We will now let me get rid of the second readings, because I know we have a lot of staff hanging on for second readings, and this will just take us a moment. So let me let me get rid of the second readings that are on the regular agenda. If I could. Item number 1049 is a second reading. We've already heard a presentation and taken testimony. Is there any can you read it? Keelan. And then I'll ask if there's any further business.

**Speaker:** Amend code to align with the amended city charter approved by voters in Portland. Measure 26 228.

**Speaker:** Any further discussion? Please call the roll.

**Speaker:** Mapps.

**Speaker:** I'm going to vote in favor of this. As I've said many times before, we are. This council is making sweeping changes to code with, frankly, not a lot of time to think about what we're doing. I encourage future councils to come back and review the space to make sure that we got it right. In the meantime, I vote aye.

**Speaker:** Ryan. Aye. Gonzalez. Aye.

**Speaker:** Wheeler. This is very dense stuff, and I really want to thank all of the staff who's worked so hard on this many, many people amongst our city employees have had to work overtime evenings and weekends to true up our code to reflect the charter changes. I want to thank everybody for their efforts. I vote I in the ordinance is adopted 1051. Also a second reading and parks and recreation code to align with the amended city charter approved by voters in Portland.

**Speaker:** Measure 20 6-228.

**Speaker:** Same deal. Any further discussion? Seeing none, call the roll Mapps i, Ryan I Gonzalez I Wheeler I the ordinance is adopted 105 for second reading.

**Speaker:** Create the northwest park avenue local improvement district to construct street, sidewalk, stormwater, sanitary sewer and water. Main improvements in conjunction with the segregation of pending local improvement district liens.

**Speaker:** Second reading. Any further discussion? Seeing none. Call the roll, please.

**Speaker:** Colleagues. As you know, I am a big fan of local improvement districts and I am going to vote in favor of. This led to this led is important because it will help revitalize our Broadway corridor. However, at this moment, I also want to highlight some risk which are unique to this particular lead. I believe that 85% of the assessment burden for this lid fall on city owned properties. Frankly, that is unusual. Most leads that have come before this council, while we have served on it,

have a much higher level of participation from the private sector. In other words, with this particular lead, prosper Portland seems to be taking on an unusual level of financial risk, ensuring that private investments materialize for this project will be crucial to mitigating those risks. Which is why I am taking this moment to urge Portland's next council to diligently monitor and manage this project as we move forward. In the meantime, I vote i, brian I Gonzalez, I Wheeler, I uranus is adopted.

**Speaker:** I will go back to the top of the regular agenda. Do you want to do 1055 sorry, 55 is also second reading, your honor. Oh, I'm sorry, you're right. 1055 second reading. I'm sorry. 1055 please. Keelan second reading.

**Speaker:** 1055 okay, amend the northwest park avenue and johnson kearney street. Local improvement district to construct only northwest johnson street and northwest kearney street, and to construct northwest park avenue in a separate and newly formed northwest park avenue local improvement district, in conjunction with the segregation of pending local improvement district liens.

**Speaker:** Any further discussion on this? Please call the roll Mapps i.

**Speaker:** Ryan. Hi. Gonzales I Wheeler. Hi.

**Speaker:** The ordinance is adopted. Can we take a two minute break, please? I just need to sort things out. Two minute break. We're in recess.

**Speaker:** And we do. We need to have an interpreter.

**Speaker:** Is the city attorney to file an unfair labor practice complaint?

**Speaker:** Colleagues, the city and unions enter into collective bargaining agreements in an effort to preserve labor harmony. In doing so, both parties waive certain rights during the term of the agreement, including, for example, the union's right to strike and picket and the city's right to lock out employees. Afscome held a picket, calling it a practice picket. On October 9th of 2020 for several days prior to the violation, city attorneys contacted afscome to notify them of the violation and

reaffirm our goal of resolving the successor contract peacefully. After the picket, hr director tracy warren sent a letter to acm president rob martineau letting him know that the picket violated the contract and that if it happened again, the city would file an unfair labor practice and grievance. She shared her hope that this would not be necessary and that both parties would abide by the contract that both parties had signed and agreed to. Despite the city's outreach. In an effort to preserve labor harmony, ask me went ahead and held another unlawful practice picket, as they called it. On November 4th of 2024, the city responded on November 8th with a grievance. As we said we would do, understanding there is now a grievance meeting taking place this week. This resolution authorizes city attorneys to file an unfair labor practice pending the results of that. Grieving that grievance meeting chief deputy city attorney heidi brown and director of the bureau of human resources tracy warren, are both here to present the item. Welcome, heidi and tracy. Thanks for your patience.

**Speaker:** Thank you. Good morning, mayor and commissioners. My name is heidi brown. I'm a chief deputy with the city attorney's office. Tracy.

**Speaker:** Good morning. Happy to be here. Tracy warren, hr director.

**Speaker:** So, director warren and I are here today to ask council to grant authority if needed, to file an unfair labor practice complaint against afscme for violating the collective bargaining agreement. As I will explain, we hope not to need to file it, given the meeting that the mayor just referenced between director warren and afscme president rob martino, which is scheduled for tomorrow. So hopefully that will resolve things short of anything else. Just so council is aware, the city and asked me are parties to a collective bargaining agreement that is in effect. It started January 1st of 2021 and the effective date ends at the end of this month. The parties are currently in bargaining for a successor collective bargaining agreement,

and they start mediation as part of that process. On December 12th. The history of this is that on October 3rd, after hearing that afscme was planning on picketing on October 9th, our office reached out to asmi's attorney to share that the city believed that the picket would violate article 25.1 of the parties collective bargaining agreement. Under the agreement, the union had agreed that during the course of the contract they would not strike, they would not pick it, and the city agreed that we would not lock out our employees. This is a standard clause in many of our contracts and contracts all over the state. The union's attorney responded, saying they intended to go forward with a picket, something that asmi was referring to as a practice picket. On October 9th, afscme did hold a picket at the water bureau facility on north tillamook, where they carried signs and they were chanting about wanting a contract. Now, this is despite the fact that they are still under a contract currently. And then they had signs that said things like no contract, no services. These are normal things to have during a strike, which is allowed for but not until after we get through the bargaining process. And the other things that the state law in our contract require. So, as you heard, on October fourth, human resources director tracy warren sent an email with a letter to asmi president rob martino, where she shared our belief that this was in violation of the contract, asked that they not do it again, and hoped that we could resolve this peacefully, she said if that did not occur, that the city would file a grievance and an unfair labor practice complaint to try to resolve this. On November 4th, the union held its second picket. This occurred at the Portland police bureau's central precinct in downtown Portland. Chants and signs were similar to those that occurred on October ninth, so on November eighth, tracy sent a grievance letter to rob martino stating that the pickets violated the party's contract. And I will note that while there's not a process for the city to grieve matters under the contract, it was done in an attempt to

maintain communication between hr and afscme, and also to preserve all of the options available for resolution of this issue. In that letter, tracy, again shared her interest in resolving this peacefully and maintaining labor harmony, and in working to get a successful contract in place. She also asked rob martino if they could meet and discuss this further. So that was on November eighth. On November 21st, tracy again followed up with rob asking if he was amenable to schedule a meeting last week. Rob did respond to tracy and said he was willing to meet and discuss. They're scheduled to meet tomorrow. So what we're asking for is authority to file an unfair labor complaint. We would like to wait and see if the meeting tomorrow is fruitful and hope that things get resolved, and there won't be a need to just so everybody is aware, we have up to 180 days from the first violation. So October 9th to file this. So there's not a requirement that it be filed today or tomorrow or anything of that sort. There's time to resolve that and hopefully we can get this resolved. I would note that both the city and asmi agreed that during the collective bargaining agreement, the union would not strike or picket, as I said, and the city would not lock out its employees. And just like the city cannot practice, I realize they're calling this a practice picket. But just like we cannot practice locking out our employees, meaning we'd lock them out and not let them come to work. The union cannot practice striking, in other words, withholding their work. And they also cannot practice picketing, which is what we're concerned about that they engaged in. And why is this? This is because everybody agreed not to do this, so that we would have harmony while we're under this collective bargaining agreement. So I would note that tracy's been diligent in her efforts to resolve this issue without filing a ulp. We continue to hope to not have not file one and that this will be resolved amicably, and that we will avoid the need for this. This would simply be an authorization from you for my office to file this if that's needed. Hopefully it will, and i'll be available for

any questions if you have them. And director warren is also here for questions as needed.

**Speaker:** Good. We'll start with commissioner Mapps.

**Speaker:** Thanks for that overview. Just so I'm clear. What what is the core question on the table when we file the unfair labor practice complaint? Is that question is a practice picket a picket or it's the employment relations or the Oregon law says that when if an if a union violates a written agreement during the term of that agreement, that is an unfair labor practice.

**Speaker:** Similarly, Oregon law provides that if an employer violates a contract, that that is an unfair labor practice during the course of a contract, the grievance is the normal way for the union to resolve it. But oftentimes the unions will file both a grievance and an unfair labor practice complaint just to preserve all avenues of available. So. So does that answer your question? It's provided for by law that that during the course of a collective bargaining agreement, the terms can be enforced through the employment relations board. The agency that interprets and enforces the collective bargaining laws in Oregon.

**Speaker:** So let's say we filed this complaint and the powers that be rule against the city. So what is the claim in that case that or what would the finding be in that case?

**Speaker:** Or they'll they would find that there are that the union's conduct did not violate the conduct the contract.

**Speaker:** Okay.

**Speaker:** Thank you very much.

**Speaker:** I have a couple of questions. So. And look, I think all of us here want to have a good relationship with our city employees. And have you heard this morning our city employees are doing a lot of work in addition to their regular jobs. We are

also working feverishly to transfer to a new form of government. And we're dealing with a lot of big planning issues all simultaneously. So we want to do right by our employees. But I'm going to be honest, as I read through our lengthy contract again this week, I landed right where you did Heidi on 25 one on page 81 of the contract which we signed and which AFSCME signed. And in it, it says in black and white. This agreement is a guarantee that for its duration, which is until 1231, for its duration, there will be neither strikes, picketing nor lockouts. That's what it says in black and white. And so I'm presuming, and I guess we'll have the opportunity to hear from our labor partners soon, that there is something else they're looking at in the contract that suggests to them that a practice picket is a thing. Is there anything else in this contract that I missed that references a practice picket because I could not find it?

**Speaker:** No. There's nothing else that references a practice picket. And the language that you read is the language that we're concerned about. They've agreed not to picket whether you call it a practice or not, a practice, you're picketing just like a strike is a strike. Whether you're calling it a practice or not. So.

**Speaker:** So you tried to resolve this amicably, Tracy, as far as I can tell. And I don't believe I'm sharing any secrets here when I say and it was the desire of this council to find an amicable way to resolve this. So it was announced you said that a practice picket isn't a thing per the contract we all signed, they went forward with the practice picket and then they announced they might do it again.

**Speaker:** No, we became aware that they were going to do another picket through a flier that they were distributing.

**Speaker:** So you had already told them that there was nothing in the contract about a practice picket, that fake picketing is expressly in black and white, prohibited by the contract. And you sent them a letter saying we felt it was in

violation. That's correct. And that if it was done again, we would be filing a grievance and potentially this unfair labor practice. Is that correct? That is correct. And then they did it anyway. So my question will be why would you do that. It's in the contract. There's no such thing as a practice picket. You received fair warning from the city that it was a violation and then you did it anyway. And now you've put this council in a position where we either go back on our word, where we were explicitly clear, or we hold you to account. And I believe at the end of the day, this contract is what holds all of us to account. And if we start allowing one collective bargaining unit to ignore the black and white language of the contract that's tacitly granting permission to all of our collective bargaining units to do the same, and frankly, it gives the city permission to do likewise as you said, heidi, there's no such thing as a practice lockout, and I would strongly oppose anybody who suggested that that's a thing and it would be smart or even honorable for management to engage in that kind of activity. So I support where we are today, and I want to be crystal clear on that. I am very appreciative of the work of our many thousands of city employees. They do not get the thanks they deserve for the hard work they do, and the conditions in which they often work. But by the same token, the reason we have these agreements and the reason we abide by them is so that everybody is treated fairly. I feel very, very strongly about that. Anybody else have any questions? Commissioner Mapps back to you, mr. Mayor.

**Speaker:** Do we have any public testimony on this? Keelan no, sorry. I'll be I'll just put my cards on the table. I'm I'm inclined to agree with the with the mayor's analysis here. Rob's also in the room I no, no, I don't know if he is in a position where he wants to speak to council for three minutes, but in terms of having a complete dialog, if, if you were open to it.

**Speaker:** Mr. Mayor, i, I don't want to put rob on the spot, but rob is always entitled to come address us. Of course. Come on up, sir.

**Speaker:** I don't know that this is the place to administer the grievance. If we wanted to do that, I'm sure that the city's representatives would want to have some time to prepare for that. That meeting will happen tomorrow. Well, I think there are functional differences. This is not something that I think I'm not here to defend the grievance. I will be administering that grievance and taking it very seriously. And how we continue to administer our contract. While I may disagree with your assessment and the reading of this contract, I don't know that this is the place to do that appropriately. It is not common for us to file grievances and unfair labor practices simultaneously in the efforts to resolve things at the lowest possible level, we will let a grievance process play out and then move forward with an unfair labor practice. If that is appropriate. There's no need for this to happen again. There's six months from that October date in order to do this. This is something that the next council could certainly take up. This is something you could take up at a later date. But I think that it would an authorization like this I think, could potentially interfere with the resolution through a grievance process.

**Speaker:** Okay. Thank you. Did you still have your hand up?

**Speaker:** No. I appreciate rob. Thanks for that perspective. And mr. Mayor, thanks for that indulgence.

**Speaker:** Good. And I will just state for the record, I'm glad that there is a meeting tomorrow. And I don't actually know who's sitting at the table. I can confirm I'm not sitting at this table, but I hope there is an amicable resolution that is provided. However, I will give you the authorization you request should it be necessary. Please call the role maps yea. Ryan. Yeah, we have really big revenue challenges

with our largest in the nation lease vacancies in the private sector, and we have a tapped out tax base.

**Speaker:** Simply put, we have gaps between what labor, what outside contractors want and what we can afford at this time in our city's history, we must come together and be trusted partners as the only city member of the current council who will make the transition to sit on the new council, I need to be sure that I make it clear that I'm open to dialog with all and we all must come together with shared sacrifice for the love of our recovering city. So for the purpose of communication in good faith, I vote no.

**Speaker:** Gonzalez.

**Speaker:** I vote aye, Wheeler, I vote aye.

**Speaker:** The resolution is adopted.

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

**Speaker:** Next item, please off the regular agenda item 1048.

**Speaker:** Amend code to align with the amended city charter approved by voters in Portland measure 26 228.

**Speaker:** Colleagues, this is the final set of code changes that will come before this council to align code with the voter approved city charter. This ordinance includes five titles, two of which are being amended and three of which are being replaced. I'll hand this off to diana shiplett with the charter transition team, as well as our city attorney, mr. Robert taylor, to present this item. Welcome.

**Speaker:** Thank you. Good morning. Actually, I think it's afternoon now. It's nice to be here again. Mayor Wheeler and commissioners, my name is diana shiplett. I'm a strategic policy analyst. And she and her pronouns. Today I am bringing forward the final set of city code titles to be updated in order to conform them with the amended city charter. Next slide. So council has seen these upcoming slides, so i'll

be quick running through them. But I do think it's important to ground any community members who are unfamiliar with this topic on the presentation. And what is required. So what changes are necessary to align the code with the amended city charter? Next slide. First, and most importantly, we need to update the authorities in code. We're removing titles such as commissioner in charge and replacing them with the city administrator or mayor, whichever is most appropriate. And let's see, such as the example shown. Next slide. Second, we are giving the city administrator the authority to direct the work of the bureaus, adopt administrative rules and approve contracts and agreements. While we did not need to give this authority specifically to the city administrator because the charter because by charter the city administrator is already tasked with the proper and efficient administration of all city affairs. We recognize that the consistency and clarity in the code is useful and likely to help future city administrations. The city administrator may delegate any of these authorities to the appropriate person, program, or bureau for the efficient running of the city. Next slide. The next set of changes that we made are administrative. First, to keep the appropriate separation between the legislative authority of the council and the administrative or executive authorities of the mayor and the city administrator. We are removing any administratively focused sections of code. We are also removing or updating any outdated information. This ensures both that the future council does not inadvertently step into the administrative rulemaking process, and also that the code is as updated as possible. Next slide. While not required by charter, the team also agreed that some language changes were necessary for consistency. First, we removed any gendered language. Second, we changed shall to must or will or may for clarity. And third, we are reflecting all of the updates to the city's organizational chart. Chart next slide included in today's ordinances are titles 13, 14, 26, 28, and

29, all of these titles are regulatory in nature, and most of the updates to these titles are only the changes required to conform with the amended charter. However, we did make a couple of changes that I would like to highlight. Next slide. First, we made two changes to title 14, which are important but not directly related to the alignment of the charter. In section 14, a 0.40.030. We clarified that indecent exposure or indecent exposure isn't allowable, regardless of sex. The language currently states that it is only illegal if the perpetrator is someone of the opposite sex, but the new language makes it clear it isn't allowable. Regardless. Additionally, we made it clear that breastfeeding is not considered indecent exposure and is protected by Oregon statute 109.001. In chapter 14, b110 related to amusement devices, games and machines. We removed the permit fees table as it has. This is administrative in nature. If any fees are to be charged at all. Next slide in title 29. We deleted section 29.060 .090. Title contracts to repair or demolish as contract approval is also administrative in nature. Next slide. So this concludes my presentation. But before I turn it over for questions, I wanted to take a minute to express my gratitude. First, I wanted to thank the city attorney's office. I think over the course of the last two years on work of working on this project, I have had the pleasure of working with nearly every member of that office and the level of professionalism, thoughtfulness and expertise amongst that team is unmatched in my opinion, and second, I wanted to thank the city auditor's office, who have done an incredible level of work and who, as we speak, are indexing thousands of code sections to ensure that they are both accurate and posted on the city's website for public access. I also want to take a moment to thank every bureau leader, staff and community member who helped with this work. Their input, advice, expertise, and true desire to make the best code for the community will help set the city up for success and provides a foundation for future improvements to the code. And lastly,

I wanted to thank you, mayor and council for your questions and thoughtful discussions as we work through this process. I know these helped create a better end product and I appreciate your dedication to leaving a solid foundation for Portland's future. And now, in the spirit of that same discussion of thoughtfulness, I'll turn it over to you to ask questions.

**Speaker:** Thank you. All right. Very good colleagues. Any losing my voice or any questions? Colleagues?

**Speaker:** Commissioner Mapps, I have some questions. Slash probably statements. First, I want to say I very much appreciate staff's work on all of this. And what we are doing here is fulfilling the will of the voters. I'll take this moment to I'm sure, some concerns that I've shared probably several times a day and several times over the last several weeks is we're just making a whole lot of change in this space. And one observation, which I will just share for future policy makers, is we are concentrating an extraordinary amount of power in the city administrator's office. I don't think that the city has seen anything like this in in all of our history. In many ways, I think this is a fine idea. I can tell you, in the six months that we've been doing this pilot project, I've seen us move much more efficiently on many sorts of projects. At the same time, I suspect that the people of Portland don't fully appreciate how deep this transfer of power or reallocation of power or frankly, concentration of power has been. And one of my concerns as we go through this, too, is sometimes I feel like we are using there. I don't see a lot of nuance in this space sometimes. And so here's just like one particular puzzle in the new form of government, I think the police chief essentially works for the mayor. Should I think of the police chief as being under the city administrator, or should I think of the police chief as being under the mayor, under the mayor, under the mayor? So that was my understanding too. But, you know, in title 14, I think there's some situations

where we are taking powers that currently reside with the police chief and handing them over to the city administrator. I think when you take a look at those specific instances, I kind of understand these are largely, I think, permits for like street fairs and whatnot, and I've been on all sides of that. But I do wonder if maybe future policymakers want to think a little bit about spaces like this. Another area of concern for me or something that's not even a concern, but I look at it and I go, this language just doesn't seem right. I think you can look at title 26 and 29 where it says the city administrator will conduct electrical inspections or whatnot, and we know the city administrator is not going to go out and look at your, you know, your electric hookup. Instead, the city administrator is going to delegate that responsibility. But the fact that our language is so clunky here kind of suggests to me that we still have some intellectual work to do to understand, to fully come to terms with the new system. We're moving into. You know, obviously, all these concerns that I have raised today, we're not going to sort out in the next 26 days or whatever we got left. But I do hope and urge future members of this council to continue to lean into and explore this space.

**Speaker:** Commissioner Mapps.

**Speaker:** Sure.

**Speaker:** Yeah. Commissioner Mapps what section were you referring to on the permitting piece that's moving from the police chief to the city administrator?

**Speaker:** Oh, so I think I would have to dig into this a little bit. I think there's essentially I might refer to staff here as I kind of read the code. I think there are situations where if you want to if you want to do a street fair, for example, and close off the streets, probably pbot can kind of weigh in on this. And I think the police chief can kind of weigh in if you have to kind of block streets for example. Historically, that's that decision has come from out of the police chief's shop. I think

now that's going to move over to the city administrator shop. If that's my if I'm reading code correctly, you know, and I don't have a huge substantive concern around that, although I've been on both sides of this, I tried to organize street fairs that I couldn't pull off because the police didn't have the capacity to manage the street. But those are some of the subtle things that happen as we go through and change all of the city code in eight weeks or whatever it's been, I totally fall.

**Speaker:** I'm just trying to follow the reference. I'm looking. I'm looking in title 14 and I'm not. I'm not sure I'm quite.

**Speaker:** Let me see. I can probably pull it up in my notes while you're doing that.

**Speaker:** Keelan can I ask, do we have public testimony on this item? Thank you.

**Speaker:** Let me get back to you, commissioner robert.

**Speaker:** Do you have any suggestions on where we might look? I mean, I'm looking in the probably 14 b 14 b, I think it's 14 b somewhere in the one hundreds.

**Speaker:** I'm guessing.

**Speaker:** Yeah I'm not i, I would go back and look at it in more detail. I would say more generally, just to kind of orient us to our earlier conversation about changing references in the code, where it had it, you know, director's authority, changing that to city administrator's authority, the definition of city administrator includes the administrator or their designees. And then we are doing a project now where the administrator is delegating that authority back down to people. And part of that is to align with the charter, which says that all employees report to the city administrator. And I think it also helps us in some ways to confront some some management challenges that we've we've had in the past. So that's the purpose of that's the purpose of those changes and how the pieces will fit together.

**Speaker:** Thank you. Yeah. I mean, it's just the tension because as the police chief reports to the mayor and there's a kind of accountability that will exist for certain

public safety components, that to me, it's a slightly different wrinkle than another, another bureau lead that would be going to lead in is going to report to the city administrator in any event. So I just wanted to make sure I'm tracking it. What we're referring to here, this has nothing to do with like public unrest or anything like that. This is specific to street closures and as I when I did the skim of this, although frankly, I would also in my quick skim, you know, this document is 162 pages long for just chapter 14.

**Speaker:** I think. I do think it is interesting and frankly, I'm not fully grasping the organizational structure we are setting up. Specifically around the interaction between the police chief and the city administrator. It seems like in some situations we kind of maintain the independence of the of the police chief or we or mike, do you know how it works?

**Speaker:** Well, I will say it was the number one question I've been asked over the last two years about or actually since November of, of 23, when the council adopted the organizational structure, which has the Portland police bureau inside the public safety service area, reports to a deputy city administrator and to this then to the city administrator and the fact that the mayor appoints and can remove the chief of police. So those two things are in a little bit of conflict. On the surface, I think what we've been trying to do through code is we've been trying to reconcile charter language, which really vests all of this authority in the city administrator. And the idea that management authority of the police bureau in this case, ultimately at the end of the day, rest with the mayor. I think we've talked about this before, that the mayor and the city administrator on multiple topics, including the operations of the Portland police bureau, are going to have to be in each other's hip pocket. They just have to be together on this. You can't really do the two roles as as related in the charter completely independently of each other and have it work. So those two

folks who are ever in those chairs are going to have to work together really closely. But I think what we've been trying to do through code is manage these administrative issues, regardless of the bureau they're in. And I'm happy to be corrected by council. Thank you.

**Speaker:** Yeah.

**Speaker:** Not not that this is in code, but this is real life. Is it also a market driven decision in some ways because chiefs of police throughout the country are often connected to the mayor of the cities. They report to.

**Speaker:** Well, that may be very true. I think if I recall, then diana was present. So she may be able to be more accurate. But I believe that the charter commission, in their deliberations, knew that the actions of the Portland police bureau, and particularly the accountability of the police chief, needed to be directly to an elected official and the mayor, of course, is the only elected, elected citywide now other than the auditor. And so I think that was their thinking about making that accountability to the mayor.

**Speaker:** That's another way of saying what I was saying, and I appreciate that, but it's just good to remember that context. Yeah, I may have I may be following where you were going.

**Speaker:** Commissioner Mapps so there's a pyramid required provision in 14 9003. Oh. And there's a discussion about when a permit is required. It specifies that the police chiefs can do an investigation, but that the city administrator will issue such permit. Now I'm down to 1490 050. I just want to make sure I'm following how this works mechanically. So someone applies for a permit under the subsection. The chief of police under the new language will conduct an investigation of the application. But it is a city administrator who will issue the permit for that. Does that ring a bell? Is that where you think you were going? Commissioner Mapps?

Yeah, I think because it previously said director there. I mean, that's the language there. And now it says the city administrator gets it's just trying to figure out who to day like right now. Is that the police chief that issues that permit or is there some other director issuing it?

**Speaker:** I think under current practice, the chief of police issues the permit through the bureau. This would technically move the authority to issue the permit to the city administrator or their designee. And I can guarantee you that this city administrator will delegate that back to the chief of police. So we have literally scores, if not hundreds of code sections where we have changed authority from commissioner in charge, from bureau director, from others to the city administrator. And our intention is going through a discussion with city attorney right now about redistributing appropriately all those actions back to where they were, as long as it's still appropriate. And that's the way we want those things to be done, like inspecting electrical connections, you know, and I don't want to belabor this point.

**Speaker:** I just want to make sure I'm following the section because when I read the go ahead, did you have can I can I just jump in right now?

**Speaker:** The way it's set up under code is that the chief does the investigation, and the director of the bureau of revenue is the one who issues the permit. So it's not the chief of police.

**Speaker:** It's so just thank you. And these are what type of permits that we're referring to in this subsection.

**Speaker:** In this particular section, if this is the one you're referring to, it's secondhand dealer permits okay.

**Speaker:** And is this a general concept that is permeating throughout the new code language? I mean, I'm just that was the first example I found generally.

**Speaker:** I mean, I'm not familiar, but yes, the substitution when we found the word director, which at least in this section is revenue, it may be other directors in other parts that was being substituted for a city administrator. If there are other examples, I'm happy to take a look how do you even draw the conclusion that's talking about the finance director?

**Speaker:** There?

**Speaker:** I'm just looking at the so look at sorry. This is what you're in the weeds.

**Speaker:** Yeah we are I just wanted to make sure I was following 1490 020 definitions.

**Speaker:** And so again, I'm looking right now at the current code, not at the top.

**Speaker:** I'm looking at the red line.

**Speaker:** So okay so the red line. So if you look at. H under 020 it says director means the director of. Bureau of revenue and financial services revenue division or designee. And then if you are in 050, the current 050. A says the director shall issue the permit so, okay, I think I'm falling.

**Speaker:** I, I think in this case I'm okay if this is the only you know. If we were in a core public safety area, we're talking about things that involve like, again, civil unrest. I'd even get into the topic of things like closing streets for mammoth, you know, public participation. I think there's an interesting question there like, is that in there? There's tension today on those type of things, and there's going to be tension in the new form of government under those things. You know, prosper wants to do something economic development wants to get things activated downtown. And we want to bring back the rose parade. And that has an impact on both police and fire. And there's going to be tensions there. And because there's tension today and but in this example, I don't I'm not concerned. But I follow your general point. Right.

**Speaker:** And I would say, you know, i, I want to make it clear, I can certainly go through this, you know, the stack of documents we see and see that staff has been fairly methodical and basically just swapping out, where appropriate, swapping out. You know, commissioner or director for a city administrator. I do think that there are some edge cases. You know, broadly, I think that's going to make us a better, more efficient city. I think there might be some edge cases where that may not be the org chart that serves the people of Portland best. And I you know, I don't think that we are sitting here in the in this room today trying to figure out the new org charts. But I do think that at some point someone might want or at some point hopefully in the next year, I do hope the council at least goes through and does their due diligence to make sure that the system we have created is the system that the people of Portland want. Yeah, okay.

**Speaker:** All right. Anything else?

**Speaker:** Mayor, might I say something?

**Speaker:** Yeah. Of course.

**Speaker:** I just want to thank diana and all of your work. This has been a huge amount of work. It really is historic. You have managed this very well. You said very nice things about our office. I want to share that with you also. So thank you.

**Speaker:** A lot of work, a lot of detailed work. Thank you very much. Appreciate it. All right. So this is a first reading of a nonemergency ordinance. It moves to second reading. Thank you all.

**Speaker:** Thank you.

**Speaker:** Looks like we're going to 1050 which is the first reading of a non emergency ordinance to authorize water revenue bonds to finance water system capital improvements for an amount sufficient to produce net proceeds of up to \$250 million, and to refund outstanding water revenue bonds. Colleagues, as you

just heard, this is an item related to the issuance of water revenue bonds. It's being put forward by our debt management folks, as well as the budget and finance service area. We have jonas berry here to introduce the item. Great. Thank you, mayor. Commissioners, for the record, jonas berry, deputy city administrator of budget and finance and the city's chief financial officer.

**Speaker:** This legislation is a first reading of the formal action to authorize long term bonds that have been included in the fiscal year 2425, adopted budget and included in the financial rate forecast for the city's water utility. This ordinance will enable budget and finance via the debt management office and the Portland water bureau to coordinate in the issuance of revenue bonds to fund the water system capital improvement program. The bonds will be secured by and paid from revenues generated by the water system. The borrowing also allows for the refinancing of outstanding water revenue bonds for interest savings. If that math works out, the city's debt manager is on line to walk through the details, and I believe we also have water bureau staff available to assist with questions. If needed. And i'll hand to matt.

**Speaker:** Thank you for the introduction. De berry.

**Speaker:** For the record, I'm matt rock, that manager and budget and finance.

**Speaker:** As mentioned, this ordinance will provide the authority to issue water revenue bonds in an amount not to exceed \$250 million for the financing of capital projects, plus costs of issuing the bonds. The primary project being financed is the City Council approved bolt on water treatment project, consisting of a water filtration facility and necessary pipeline additions and enhancements. As has been discussed previously with council, the construction of the bull run water treatment project will be achieve compliance with epa regulatory regulatory requirements for drinking water. The City Council most recently received a project update this past

July and simultaneously approved the city to enter into required contracts for constructing the project. This ordinance is by extension, into an administrative action to execute the funding plan, which includes low cost loans from the epa and revenue bonds. This funding plan has been previously communicated to City Council, the city's credit rating agencies and bond investors over the last several years, and was recently reviewed by a feasibility consultant. The city is roughly \$100 million of previously unused water revenue bond issuance authority from City Council, and combined with this authorization, roughly \$350 million of bonds are expected to be issued in the first half of calendar year 2025. The bonds are expected to have a repayment term of up to 30 years, and is estimated to have a borrowing rate of roughly 4.5%. Based on current market conditions. Over the coming months, the financing team will draft an official statement of the city to market the securities and then subsequently sell the bonds. That concludes the overview of the item and happy to answer any additional questions.

**Speaker:** All right. Very good colleagues, any additional questions?

**Speaker:** I have a couple commissioner Mapps. Thank you for the presentation. And thanks to everybody who is working on this important project. Have we factored in? Have we? Will these bonds impact rates?

**Speaker:** So all of the feasibility analysis included all of the rate increases that have already been proposed. We communicated to City Council. So all of that has already been factored into the projected rate increases. Cecilia quinn is also here from the water bureau. If you want to add on to that, cecilia, nothing to add.

**Speaker:** That's correct. Our rate forecast already incorporates the issuance of these bonds to support the project.

**Speaker:** And another follow up question I don't know if this is for matt or cecilia. Is would pulling this 250 million in bonds impact the water bureau's credit rating, or do we expect this to be fine?

**Speaker:** As I mentioned in the talking points, all of the funding plan has already been communicated to the rating agency. So that's been factored into it, obviously, with adding the amount of debt that we're going to be issuing, we'll put some stress on the credit rating. But I think that there's nothing that is really imminently adverse to the credit rating on this.

**Speaker:** Thank you very much. One last question. And this is probably more of a of a statement, especially in the infrastructure space. We do big projects that cost a lot of money. You need to pull bonds in order to get these done. I do hope that the city develops kind of a comprehensive strategy for managing our infrastructure and build needs as as we move forward. I've been eager to have that conversation for the last four years. I know matt's doing a great work here, but I'm still not quite sure if I understand our long term vision here and where our boundaries are, because on the one hand, you know, talking to my constituents, I know they feel like their utility bills are getting about as high as they can possibly go. And I do worry about taking out so much in bonds that we impact how much it costs us to borrow money. I don't know how we work it all out and this is true of utilities in particular. But if we were to make a big move in, well, frankly, if we were to just fix our roads, that would have other implications. We've got big infrastructure needs and parts to how all this fits together. I think we can we need to continue to think about deeply.

**Speaker:** If I can just clarify one thing too, is that the with the credit rating, there wouldn't be any like major change. So, you know, the city's the water system credit rating would still be a strong investment grade credit rating in the aa category based on all the indicators that we see.

**Speaker:** Great. I'm glad to hear that.

**Speaker:** Thank you. Do we have public testimony?

**Speaker:** Keelan no one signed up.

**Speaker:** Very good. Any further questions on this folks? Thanks for the hard work on this. This is a first reading of an emergency ordinance. It moves to second reading next item 1052. Also a first reading of an emergency ordinance amending the Portland clean energy community benefits fund.

**Speaker:** Climate investment plan.

**Speaker:** Dca daniel rivera is here to kick us off. Welcome.

**Speaker:** Hello. Thank you, mayor and council. Daniel rivera, for the record, I'm going to be brief to hand this over to staff so we can dive into the content. But just for context, mayor and council, we're here today to amend the climate investment plan, which is the that this council directed to create the vessel for how we spend pcef dollars. So if you recall, we have a current climate investment plan that has \$750 million allocated through strategic projects, community grants. This item today amends that to essentially correct for the additions that council made in the spring to the budget process. It addresses some budget notes related to bureau inflation and also some technical amendments. That speaks to some of the changes in the cip in general. And last but not least, it also addresses increased demand from our communities and our private sector partners for bigger investments. Now that the fund is much larger than just a grant program, how we allocate those dollars is critical. And you'll hear about that more right now from sam and eric. But really, we're just we're evolving the cip to reflect the changes and commitments this council has made. So with that, i'll hand it over to eric engstrom and sam brosseau to walk through the deck. Thank you.

**Speaker:** Thank you danny. Again, eric engstrom for the record, interim director at the bureau of planning and sustainability. And with me is sam barraza, who's the program manager for the Portland clean energy fund. As danny said, the pcef climate investment plan is the document that kind of directs and gives accountability to the project and the plan in terms of investments that will make through 2029. This is kind of one aspect of the council's governance over the program. You, the council also acts annually on the budget appropriations to actually help us implement the plan. And then the executive branch. We make grant decisions and award contracts to implement it as well. This is our first amendment to this plan, but I expect occasionally we will be back to council to make adjustments as we learn from year to year implementation. Sam will start off this very brief set of slides, a couple of slides, just to remind you how we got here with an update of the fund forecast and what that looks like right now. We'll go over the recommended amendments to the cip, including changes that incorporating changes that we made with the budget process in this past year, a number of technical corrections to the language of the plan and then adding funding to a couple programs that sam will dive into. One thing is clear from the last year of implementation is there's substantial demand for climate investments as evidenced by the response we got to several of our most recent funding solicitations. Sam. Okay.

**Speaker:** Thank you, director engstrom, for the record, my name is sam brosnan.

**Speaker:** I'm the program manager for the Portland clean energy community benefits fund. I'll move through my content a bit quicker, but encourage you all to jump in. If you have any questions or need me to elaborate. Okay, so I'm going to move into the climate investment plan and where we've gone since then. So as you all know, in September of 2023, you all adopted the climate investment plan, but

not a month later, and our city economist provided us an update that said that we were going to bring in a significantly more projected resources under the direction of commissioner Carmen Rubio. We worked with city bureaus in the climate emergency work plan to identify projects for funding. You all then allocated those projects as part of the fy 2425 budget process. We've since worked out. We've since worked with our bureau colleagues in there to hammer out those details, and that's what we have before you in that intervening time. I think the one thing I want to also name is in that intervening time, we've worked with our city budget office to refine our projections, refine our spending, refine our understanding of the fund expenditures so we could understand how the interest flowed and get a better grasp on the numbers themselves. Which brings us here. So I'm going to turn into the city climate projects and give you just a quick overview. You all are already familiar with this, as this was part of the fy 2425 budget process, but we'll dive in. So here's a list. I'm not going to walk through it in detail. It is in your materials. But this captures the various programming within the cities that are funded as part of this amendment and were captured as part of the fy 2425 budget process. These figures, though, reflect the full five year sum that would be heading to these to these projects. So the cip would capture that. Now this is the next set of projects. Okay. Now I think this is more important. This provides an overall picture of the amount of funding that is heading to city bureaus as part of that amended climate investment plan. So in the original climate investment plan, there was about 212 million or so heading towards city bureaus to implement projects that align with our objectives. As part of the 2024 city climate projects update, we added about another 411 million. So that brings the total of the five year sum heading to city bureaus at around 623 million. Now what you'll see here in this diagram is the largest recipient of these funds is the Portland parks and recreation, followed by

the Portland bureau of transportation, then the Portland housing bureau. And then bureau of environmental services. Before you see others with a little bit less. Now, as you take a look across the our various funding areas and you see the disaggregated funding, what you'll see is the vast majority are funding. The largest portion of our funding is going towards green infrastructure investments, followed by then clean energy investments and then transportation decarbonization investments. All right. So I'm going to keep us moving. So as I noted earlier, we expect, as I think director engstrom noted earlier, at this point, we're expecting to be coming back to council. And amending and updating the climate investment plan annually. I think that's going to be an expectation to get into that regular cadence, and that happens because we're going to be continuing to evaluate the existing performance of our programs, teasing out where we're underspending resources, where we're overspending resources and opportunities to respond to new needs. And so this is something that while we're here before you now, you should expect to come before commissioner Ryan and come before you all, probably a year from now, talking about additional updates that will happen in that time. Now, these are some updates that we've teased out in the intervening year based on demand that we've seen for our community grants. So as part of this amendment package, you'll see an additional 120 million being allocated to the community grant solicitation framework. Now, you all approved 90 million earlier this year. Obviously, what this does is this supports our ability to award anywhere between 40 to 60 million a year moving forward. In the subsequent intervening years. What you also see is an additional allocation for the collaborative for climate action funding opportunity. This we had already worked with the Portland clean energy fund committee who teed this opportunity up. We had communicated our intent to award about 158 million originally, and once we saw the funding

solicitation period close, we received about 2.4 billion in funding requests through that funding opportunity. And so as you'd expect, we're requesting to increase that as we've worked with budget office and see that we have the resources in order to accommodate those. And those projects will be coming before this body on December 18th. So this is to increase and set aside that allocation. But we'll be coming before you all with the recommendation for funds on the 18th. For those projects. And then last but not least, this amendment increases the allocation of funds to our cooling Portland program. This is our response to the heat wave and distributing portable heat pump cooling units, and would allow us to expand our target from 15,000 units over five years to 25,000 units over five years. Okay. And so now this is really the last slide that I have in aggregate, the amendments, the climate investment plan for budget actions in 2425. And these additional program updates brings the total plan allocation to 1.6 billion, roughly. Now, this diagram shows the overall funding distribution across different implementation pathways. As you see, city bureaus are receiving a substantial sum, followed by rfps for administering strategic programs such as our e-bike incentive program, followed by our community grants program. And then there's the collaborative for climate action funding opportunity. Some of which we anticipate may be city projects that are awarded through their other governmental projects or other community projects, and then last but not least, our public schools allocation. And so with that, that concludes our prepared presentation content, and i'll turn it back to you, mayor.

**Speaker:** All right. Very good. Colleagues, any questions at this particular juncture, do we have public testimony on this item?

**Speaker:** We have two people signed it.

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

**Speaker:** First up is bob spinelli online. Welcome.

**Speaker:** Hi.

**Speaker:** Hi. Hi.

**Speaker:** Okay, okay. I was going to put my video on, but now I can't I can't seem to click on it. Right. Hi, babs. Vanelli here. Lifelong Portland resident, 76 years old. Oh, the host has asked you to start your video. Okay, there we go.

**Speaker:** There you are.

**Speaker:** Now we see you. Oh, there you go. Hey.

**Speaker:** Hey, babs.

**Speaker:** Hi. So, anyway, I am here to urge. Implore all of you to vote yes on this agenda item 1052. I've spoken about pcef previously. Before you. I've followed the pcef committee for close to three years now, and I'm continually impressed with the dedication, the determination, the courage, and the spirit of collaboration among all those on this committee. So and now you've heard about this. Hope you don't mind me just referring to them by their first names. Donny and eric and sam presenting to you in such great detail. Their proposal, these amendments so for all of you, for commissioner Mapps mayor Wheeler, commissioner gonzales, I implore you to vote yes as a means to promote your legacy and your concerns about the environment, regardless of how you voted in the past and particularly given the tribute to bob sallinger, that the mayor. So eloquently proposed earlier or discussed earlier. Oh, all right. So please vote yes. And commissioner Ryan, hi there. I'm in your district too. And so this is your opportunity to show all all of the folks who voted for you that you have heard loud and clear the concerns of citizens in north and northeast Portland have about the environment. So thank you so much. Thank you for all the work that you've all done and for commissioner Ryan. Thank you for the work that you will continue to do as you represent my district too.

**Speaker:** Thanks. Awesome. Thank you for your testimony.

**Speaker:** Next up we have Lynn Hanlon or Lynn Hanlon. They're not here. That completes testimony.

**Speaker:** All right. Very good. Colleagues, any further questions on this before I move it to second commissioner Ryan?

**Speaker:** Yeah. When you said that this is coming back on the 18th, is that for a first reading on those projects, the yes, on the 18th, it will be it will be an emergency ordinance.

**Speaker:** It will be an emergency.

**Speaker:** Correct. I was looking at the clock or the dates. Yeah.

**Speaker:** All right. Very good. This is a first reading of a non emergency ordinance. It moves to second reading. Next item please is item 1053. Also a non emergency ordinance assess properties for sidewalk curb and driveway repair for the bureau of transportation. Let's see. Looks like we're turning this right over to is it Sherry? Sherry. Yes. Mathias, you're up.

**Speaker:** Great. Thank you. Good morning mayor and commissioners. For the record, I'm Sherry Mathias from the revenue division. That's okay. And with me today is Lee Munson with Pbot. This ordinance is for sidewalk repair on property that is required by the city. Any remonstrances received have been pulled from this assessment and are not in this ordinance. This concludes my short presentation. Thank you for your time.

**Speaker:** That was blissful. Thank you very much. Right to the point. Somebody give this lady a promotion, please. Thank you. Looking at you very much, looking at you. Do we have any questions?

**Speaker:** Yeah, I have a couple commissioner Mapps has a couple sherry, i, I think earlier this week we noticed a maybe a typo in one of the exhibits around the addresses. I have been told that that got addressed. Is that correct?

**Speaker:** That is correct. Yes. Thank you for catching that.

**Speaker:** Oh, of course, not a problem at all.

**Speaker:** And the paperwork, at least when I read it, indicated that no one had complained around the fees for charging or if some come in more recently.

**Speaker:** Yeah. So we did receive one remonstrance and that was removed from this assessment. It's not in the documents before you. Okay.

**Speaker:** Well, and that's one of the things that kind of confuses me. You know, some of these are relatively low dollar. I think the highest one is 18 grand. I find it unlikely that that a small business would. Can you explain that? I think, for example, I think sheridan's the fruit people have an \$18,000 bill. I'm kind of frankly shocked that they are not here today expressing concerns. We've done our due diligence and have reached out to these folks.

**Speaker:** Yeah, I believe pbot is the one who does that outreach. So I don't know. Lee, would you like to respond to that question from commissioner Mapps?

**Speaker:** Sure. So quite often the property owner requests the city to do the work right. So I don't know what happened in that particular case. The for really large assessments, it's usually usually commercial properties because we do the whole property and it could be like some big properties like fred meyer.

**Speaker:** Right. They could have multiple blocks. Right. With one property. Right. So that's most likely what happened there. Residential properties. Right. A 50 foot frontage. Right. Tend to be much smaller.

**Speaker:** Well thank you. And i'll tell you I went through and just took a look at the largest assessments that we have here. They are all as you kind of predicted for

businesses. And they're kind of you know, I think the highest one was 18. And you get down to about eight if you focus in on the top five. Kind of surprised that these businesses, which are kind of small ish, haven't expressed their concerns or objections. One of my concerns here is maybe we are sending our paperwork to the tenants in the building and not the property owner. I mean, I don't know if that's correct or not correct, but it goes to the property owner of record, right?

**Speaker:** Yes. The property owner of county. Correct.

**Speaker:** Okay. Well, I'm glad to see this basic infrastructure work done. It seems to be I'm delighted that we haven't had I'm delighted and surprised that we haven't heard more complaints in this space. We'll proceed. I'll trust you.

**Speaker:** Thank you. Commissioner and sherry, I understand that I need to move an amendment on this. Is that correct?

**Speaker:** Yes. That understanding, then, is we need to amend the ordinance.

**Speaker:** The impact statement, as well as exhibit a to remove the property that you referenced earlier. Yes. Can I get a second? Second? Commissioner Mapps second. Can we get is there any further discussion on the amendment? It just codifies what sherry had said about removing one property and reflecting that in the exhibits. Can you call the roll on the amendment please? Maps?

**Speaker:** I Ryan I Gonzalez I Wheeler I the amendment is on the table.

**Speaker:** Does anybody have any further questions or public testimony on this item? No one signed up. All right. Very good. This is a first reading of a nonemergency ordinance. It moves to second reading, as amended. Thank you very much for your good work on this. Thank you. All right. Last but not least, back to the consent agenda. Where is it? Drowning in paper up here. Here we go. 1036. This is a first reading of a nonemergency ordinance. It was pulled amend contract with northwest success incorporated to add funds for janitorial services not to exceed

\$2,450,000. All right, so I assume dca shymansky you're going to handle this one. Great.

**Speaker:** Good afternoon sonia shymansky. I'm deputy city administrator of the vibrant communities service area. The city has a contract with a vendor called northwest success incorporated, which provides janitorial services to just over two dozen parks and recreation facilities. The contract was first entered into in December 2022 and has since been extended two times, most recently earlier this calendar year for a new term of July one this year through June 30th next year. So the contract has been extended through the current year. However, the value of the contract has not been expanded to include funding for services in this current year. This action would do that. Those funds are budgeted within the parks bureau but are not available for use against the contract. Absent this action.

**Speaker:** Commissioner Mapps is that the end of your presentation, colleagues?

**Speaker:** I'm the guy who pulled this off of consent. And here is why. As I suspect many of you have heard from some of our labor partners in particular seiu, who make the claim that the city has, you know, passed some policies around labor peace agreements. They claim that this contract doesn't respect labor peace agreements. I've talked to staff over months, if not years, around what's going on here. The union says one thing staff says says another feels like we should have an explicit conversation about what's happening here. I hope someone from labor has shown up to express their point of view.

**Speaker:** I think we do have yasmeeen from seiu testifying virtually. So whenever you want to take that, we can.

**Speaker:** Yeah, well, unless we got anything else to add on your end, just good afternoon, commissioner.

**Speaker:** Mayor, my name is Sylvester Johnson. I'm the new chief procurement officer.

**Speaker:** Welcome. I was trying to remember. Is this your first appearance?

**Speaker:** This is my first appearance in front of you all.

**Speaker:** We appreciate your patience.

**Speaker:** Yes, we did.

**Speaker:** Well, I would like to just add that based upon the delegation of procurement in the current system, that will not be on the new system, but in the current system, we delegated authority to parks and procurement. So procurement doesn't have much to say in this matter. Interestingly enough, however, I will say in the future we will have more of a system that will be consolidated and be very transparent so that you won't have questions as many as this.

**Speaker:** Great. Well, welcome and thank you for your patience and that that that information.

**Speaker:** We're glad to have you on board. Thank you. It's good to see you.

**Speaker:** And Mr. Mayor, I think we have Yasmeen on the line. Yep.

**Speaker:** Go ahead.

**Speaker:** Good afternoon, Mayor Wheeler and commissioners, my name is Yasmeen Ibarra. I'm the political director for SEIU Local 49. Our members include the thousands of janitors and security officers who clean and protect the city of Portland facilities and other properties throughout our city. We believe that all workers, including workers with disabilities, deserve to be treated with respect, to be paid, fair wages and benefits to support themselves and their families. We are deeply concerned that the city of Portland continues to contract with Northwest Access Incorporated. SEIU opposes this agenda item, and we recommend a no vote. There are a number of problems with Northwest Access that we believe hurt

workers with disabilities and create unnecessary risk for the city, as described in greater detail in my written testimony that you have access to first northwest access has stated that its employees with disabilities may lack the capacity to form a union and advocate for themselves. We believe this claim to be false and insulting to people with disabilities. Second, northwest success has reduced our work hours and provided inferior benefits for workers with disabilities. When the company took over janitorial services at the city of Portland and other public agencies. Third, at northwest, success does not have a labor peace with seiu local 39. We believe this violates the city's requirements and creates unnecessary risk for the city. As you know, the sustainable procurement policy adopted by the council includes a labor peace requirement for certain contracts. Employers must have a written agreement with the labor organization to avoid interruptions to city services due to picketing, boycotts, striking, or related activities. In 2021, seiu and northwest success negotiated and signed a labor peace agreement by November of that same year, a majority of the northwest success workers at the city had signed union authorization cards. However, when seiu sought recognition as a workers bargaining representative pursuant to the labor peace agreement, the company repeatedly repudiated the agreement the city later granted northwest success a good faith exception to its labor peace requirement. However, seiu 49 believes that northwest northwest success did not provide complete or accurate information to the city in support of its request for this exception, and that the company has never shown good faith. Efforts to negotiate with the union. Fourth northwest success has been involved in multiple controversies, as detailed on the seiu website dignity at dpi.org, including reports that a that a Multnomah County facility was temporarily shut down last year due to allegations of inappropriate sexual relationships and drug use at the workplace by employees of northwest success and other

contractors. So in conclusion, seiu local 49 believes that northwest success has failed to comply with the city of Portland's labor peace requirement and in other ways has failed to be a responsible employer. We respectfully request that you immediately revoke this exception that the city has granted to its labor peace requirement and cease contracting with the company. Thank you for your time.

**Speaker:** Thank you, mr. Mayor.

**Speaker:** I have a quick question for yasmeeen. Did I lose you? Are you still there?

**Speaker:** Yes, she's still here.

**Speaker:** Yasmeeen, thank you for your testimony today. I think I've heard that you that seiu and northwest success are going to be having some meetings in coming weeks. Is that correct?

**Speaker:** Yes. Commissioner Mapps and mayor Wheeler and commissioners, we do have a scheduled mediation with northwest success on December 17th December, as required by the city of northwest success.

**Speaker:** Great. Thank you for fleshing that out for me. And now maybe i'll go to our dca. What should I do with that? Do you have any response?

**Speaker:** We do. I do. I think heidi brown is probably best positioned to speak to the particulars of that part of the process.

**Speaker:** Okay. Good afternoon again, mayor. And commissioners. So under our under our labor peace policy, we allow either contractors for these types of services to enter into a labor peace agreement, which is an agreement that the union will not or the employees will not go on strike or perform a work stoppage during the course of their work for us. So, so, and if and we have three exceptions to that where if they don't have a labor peace agreement, one of the exceptions is that they make good faith efforts to obtain such an agreement. And as part of that, they have to include an offer to submit the dispute to immediate mediation. And then, if

they are unsuccessful in mediation, that can be followed. That is followed by binding interest arbitration. Our contract with northwest success. This is a condition precedent, meaning a condition of that contract. So if northwest success were not to comply with the mediation scheduled for December 17th, or if that's unsuccessful, follow up on the binding arbitration that then in that instance we could look at whether they violated our contract contract. And in talking to our contract attorneys, this is a condition that they have to comply with. So I think we have a remedy for seiu. If there's information that northwest success doesn't follow through with our labor peace policy. And I know that both sonja szymanski and sara morsey have been working with both seiu and northwest success. We're hearing different information from each of them. I think our main interest is they follow that northwest success, follow what they committed to and contractually agreed to do mediation and binding arbitration. If that's not successful, anything to add?

**Speaker:** No. So mediation happens on the 17th. I think this council's last meeting is the 18th. Would it make. So it's your request that we pass this ordinance before we figure out what happens in mediation is that your suggestion or that is the suggestion. That's the schedule on the does that schedule make sense?

**Speaker:** As much as any schedule would. We are in a contract for which we have received five six months of services and which we are continuing to receive services under? We have payment and other obligations for the work performed, and we have this outstanding dispute. Yeah, the resolution of which could have implications for that contract. What that adds up to I'm not sure my instinct is to proceed in parallel and that this doesn't need to be connected to that. But it's your pleasure.

**Speaker:** Thank you for that clarification, mr. Mayor. I don't have any more questions.

**Speaker:** All right. Very good. And do we have any public testimony on this item other than yasmine? No. Okay. Very good. So then I will move this to second. This is a first reading of a non emergency ordinance. It moves to second reading. Obviously if there's any action between now and next time we hear this we would like to know about it. Does that complete our agenda for this morning session. Yes. Very good i'll see you all at 2:00. We're adjourned.

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

**December 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:** Good afternoon, everybody. This is the Wednesday, December 4th, 2024 afternoon session of the Portland City Council. Keelan. Please call the roll. Capps, Ryan. Here. Rubio. Here. Gonzalez. Here. Wheeler. Here. And we will hear from legal counsel and 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 up in advance on the council agenda at [Portland dot gov slash council slash agenda](http://Portland.gov/council/agenda). Information on engaging with the 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 and the council clerk calls your name. Thank you.

**Speaker:** Thank you. And just a quick announcement on item 1058. Our third item this afternoon, which is a time certain at 4 p.m, we have quite a few people signed up. So I'm going to ask people to limit their testimony for that item to two minutes each. I don't want us to lose our quorum. We've already had a long day. It's going to get a lot longer. So if you're planning on testifying on 1058, that is the transient lodging item, please limit your testimony to two minutes each, and I'll make that announcement again as we get closer to that item. First up, item 1056. Time certain it is a resolution.

**Speaker:** Adopt the building a better 82nd avenue plan and its recommendations.

**Speaker:** Colleagues, this is a resolution to adopt the building a better 82nd avenue plan. I will turn this over to dca. Pre-oedipal. Welcome.

**Speaker:** Thank you. Mayor. Good afternoon council. Good afternoon mayor. For the record, I'm priya nepal, dca for public works. This is a resolution to adopt a building a better 82nd avenue corridor plan developed by pbob in collaboration with the community in summer of 2022. 82nd avenue was transferred from odot to city of Portland in response, pbob initiated a comprehensive project aimed at improving the safety and maintenance along 82nd avenue. The building, a better 82nd plan, is the name of the program that encompasses multiple projects, policies, and programs to enhance safety and maintenance, and it consolidates all the efforts into a single visionary, practical document addressing needs from northeast lombard street to southeast clatsop street. 82nd avenue is a high crash corridor and ranks among the city's top ten most dangerous streets for pedestrians, cyclists and motorists. A robust community engagement strategy for over the last two years have included participation from thousands of Portlanders, and we are proud to present a resolution today to pass the building a better 82nd

avenue plan. I'm pleased to introduce julia read to provide a short overview of the plan, after which we will hear from three invited speakers. Thank you.

**Speaker:** Hi, everyone. Hi. Welcome. Hi. Thank you. I'm julia reed from pbot, and I'm here to celebrate an important milestone with you all, which is the adoption of the building better 82nd avenue plan, a plan that many of you, most of you have been involved in at some part during your time in office. And I would say that the future success of 82nd avenue is an important part of each of your legacies. So there's a lot to celebrate. Let's dive in. I have 11 slides and then I have three community members who are have been asked to who've been involved in the plan, who have been asked to speak as well. Next slide please. As you heard, 82nd avenue is a high crash corridor. It really is Portland's east, Portland's main street. It runs through the jade district, connects lents, montavilla, madison, south roseway, sumner, and the cully neighborhood and transit is very important to 82nd avenue. It's home to the highest bus, highest ridership bus line in the entire state. As priya mentioned, and I did as well. High crash corridor. In the most recent ten year time period of available crash data, there have been 14 deaths and more than 100 people seriously injured in crashes on 82nd avenue. 82nd avenue became a city street in the summer of 2022, following many years of community advocacy and commitment. At that time, was the manager at the time of the management. Transfer was for \$185 million in mostly federal and state funds to address pressing safety and maintenance needs on the street. While the committed funding will significantly improve 82nd avenue, this funding covers less than half of the total need to address the combination of safety issues, deferred maintenance and community priorities like reconstructing sidewalks, adding street trees and transit improvements. Next slide please. The building a better second avenue plan outlines a vision for the future of 82nd avenue that will serve as the guiding strategy for the

development of transportation infrastructure on the street. Next slide please.

Community involvement. Thank you. Community involvement inform the development of the plan, which included a series of events and workshops, included six in-person open houses, four online open houses, surveys, community presentations, focus groups, social media reaching more than 30,000 people, including our most recent online survey, which included responses from over 1700 people. Materials were translated into the five most commonly spoken non-english languages in the study area, which are chinese, english, russian, spanish and vietnamese. Next slide please. The second avenue plan identifies a series of long term strategies for the future of 82nd avenue, including expanding the tree canopy, improving sidewalks, lighting, transit traffic safety, improving bike transportation in the corridor area. Recommendations to collaborate with community on community led initiatives to improve public space in the corridor area. Being mindful of small businesses and their needs through the construction. And acknowledging the challenges of housing costs that are, while not unique to 82nd avenue. Certainly there will be more tools to address housing issues through the newly adopted 82nd avenue tif districts. Next slide please. So there's a lot going on on second avenue on the project team. We often talk about it in terms of a constellation of initiatives underway to advance the vision of the future of 82nd avenue. Some of these are already under progress or already in progress, and others are just beginning. We have the building of 82nd avenue plan, which is the organizing document that brings together many elements of this constellation of initiatives. The constellation includes transportation and safety investments over a seven year time period, some of which will be delivered by pbot, some of which will be delivered by trimet, a community led equitable development strategy which supports which documents a series of community asks, mostly related to housing and livability, and the newly

adopted tif districts, which provide a tool to address many of the community community needs that lie outside of the world of transportation investments. Next slide please. This is a cross-section of 42nd avenue that is in the plan. Our policy guidance is clear that a second avenue is a major street for nearly all modes of transportation, with the exception of bicycle transportation, which has a lower street classification. Second, in this image, you'll see elements of the community vision, including sidewalks and street trees. A safer, more comfortable street that's transit friendly. The red lanes are there to communicate. There's currently work underway as part of a related initiative, the 82nd avenue transit project, and that initiative is exploring potential locations for business access transit lanes, which would be located in the outer lane and would provide space for busses and cars and trucks making turns. You'll notice it says only bus in the lane and the way that it does on those lanes all over the city. But there's also a car in that lane, and that would be the type of configuration that might be located on some areas of 82nd avenue. The locations of those bus lanes has not have not yet been determined. There are also medians in select locations, generally short, and many of them including trees or landscaping. Medians are located only in key locations where access management is needed to address safety. We have a parallel bike network strategy, which i'll talk more about shortly, and just wanted to mention that this plan has a support of the city's modal committees, including the pac and the back. Next slide please. The plan includes a series of improvement recommendations for each of four areas of 82nd avenue in the north. That's cully roseway madison south, followed by montavilla, the jade district and lents and all along 82nd avenue. There are geographically specific projects identified in the plan, but there are also a series of recommendations that remain consistent. This plan documents the need to complete accessible curb ramps on a second by 2030 to continue to improve

roadway safety and maintenance, to install more signals and crosswalk crossings to complete additional sidewalk repair and reconstruction, and to improve transit, plant more street trees, and implement parallel and connecting bike network improvements. Next slide please. So if you've traveled 82nd avenue recently, you'll know that there's a lot of work already underway on the street with construction crews on the street. The current projects will be completed by the end of 2026, and they include street lighting upgrades for the full seven miles of 82nd avenue, planting of 240 plus trees, which is significant. But then again, this is a seven mile long street, so more are needed. 29 intersections with improved signal timing. And this is to improve pedestrian access and reduce vehicle speeds. We've also added pedestrian head starts at 17 locations and reinstated flashing yellow arrow operations in ways that help maximize pedestrian safety. Work includes eight new or rebuilt traffic signals by the end of 2026, 14 new crossings, two plus miles of paving, median treatments in select locations to address safety and to increase tree planting opportunities. More than 288 curb ramps and six speed safety cameras. Next, please. Now a little bit more information about the bike transportation in the plan. The parallel network strategy for 82nd avenue calls for north south neighborhood. Greenway is located on streets that run parallel to 82nd, so not on 82nd avenue itself, but on streets that are parallel and bike safe. Crossings of 82nd avenue every half mile or less. As part of the development of this plan. Pbot explored the possibility of incorporating dedicated protected bike lanes on 82nd avenue. Modeling showed that that would result in the line 72 bus facing major construction congestion, experiencing more than 50% travel time delay. Given our existing policy guidance and the fact that line 72 has the highest ridership of any bus line in the state and also experience a significant current delay and reliability issues, the impacts of repurposing travel lanes for bike facilities on 82nd avenue

were found to be too great. Instead, the recommended strategy is to focus on enhancing bicycle transportation on nearby nearby parallel routes and improving crossings of 82nd avenue. This approach also provides low stress biking options and access to 82nd avenue destinations. Without significantly affecting transit service and the plan includes recommendations to improve wayfinding from greenways. All right, last slide. Next please. So next steps after today, staff will continue seeking funding to address climate safety and livability goals on 82nd avenue. The pbot team continues construction of the first phase of projects. And in spring 2025, council will work to advance the legislative process for the 82nd avenue transit project, which will include the adoption of a locally preferred alternative. Thank you very much.

**Speaker:** Does that end your presentation concludes my presentation.

**Speaker:** Very good. Commissioner Mapps did you have a question?

**Speaker:** Let's hear from the invited guest. All right, bring them on.

**Speaker:** Bring on our invited guests. And we're very nice, by the way, to invite your guests. So don't be. Don't be nervous.

**Speaker:** We're here. Terrific.

**Speaker:** Well, any of the seats are good. And if you could just let us know your name. For the record, we appreciate it.

**Speaker:** All right. Thank you for having me here today. Mayor Wheeler, commissioner Rubio, brian Gonzalez and maps. My name is thomas lowe. I'm the board chair of the street trust community fund. We advocate for safe, equitable and clean transportation system a safe, clean, equitable, and clean transportation system throughout Oregon. I also served on the building a better 82nd avenue community advisory group that was convened by pbot. A little bit about myself. I spent the first couple decades of my life growing up in montavilla, near 82nd

avenue. So I've, you know, used every form of transportation there is in the neighborhood. After a few years in new york, new york city, I recently moved back to the neighborhood with my wife, and we now live one block away from 82nd. 82nd has come a long way since its origins as a rural farm road from Oregon city through present day cully. It served many orchards in present day montavilla, many of which were owned by families of japanese ancestry. As Portland city limits have grown eastwards first to the edge of a edge of 82nd avenue and beyond, so has the role of this important arterial. It's not just where goods are transported. This corridor is where people live and do business. As julia mentioned. Trimet's line 72 bus, which runs along 82nd from killingsworth to clackamas town center, has the highest ridership of any bus line in the state. It even carries more passengers than some max lines, and it serves some of the most diverse neighborhoods in the city. Now, 82nd avenue is dangerous. We heard we heard that it's a high crash corridor. And it's not just, you know, the high crash intersections. Here's what it means. It's not just the numbers, the sidewalks are very narrow in some areas, just barely a couple feet wide. Now it's a little bit better, but still pretty narrow in where i, I live and so my wife and I avoid walking on it as much as we can. So when I walk over to my dad's house, I need to cross 82nd avenue and I can't avoid it if I'm taking the line. 72 bus now, it's going to be a marathon to get 82nd avenue to be safer. It's not just going to be, you know, a couple years. So it's going to continue to be dangerous for some time to come. But this is a very important step and an exciting chapter for 82nd avenue. The building a better 82nd plan has inventoried many of the areas of improvement along the corridor and has done an initial priority list. Now, I urge City Council to adopt the plan, and I really want to make it clear that there's still a lot of work left to make it safer. Now, a couple a few areas to touch on. One, many of these safety improvements are unfunded, so while we have significant investment

from jurisdictional partners and future investments through the f 72 bus line, there is still much to figure out. Second, we need to have continued engagement with pbob trimet as well as community organizations like the street trust and the 82nd avenue coalition. Despite all of the outreach that has been done, many community members don't know what's potentially coming down the pipe. And so there's an opportunity here to have very important conversations. So many folks want to talk about how to prioritize the list. The list of projects that have been inventoried, as well as how to make the bus faster through dedicating some of the stretches as roads, lanes to only serve bus or to prioritize bus and emergency vehicles. Third, we need strong interagency collaboration, not just with transportation focused agencies. As the 82nd tif district will reinvest tax dollars into the corridor, we'll need to work really closely with prosper Portland permitting, and development to capitalize on every opportunity and dollar invested. Lastly, this City Council should make it clear to its residents and incoming City Council that 82nd avenue is a top priority. I know that there are some challenging times with local tax revenues coming, but 82nd avenue is no longer just the eastern edge of Portland. The neighborhoods here should be a part of the story of Portland. Let's make that story in our future as bright as it can be. Thank you for your time.

**Speaker:** Thanks for being here.

**Speaker:** I need to turn this off, I guess not. Hello.

**Speaker:** It's an honor to be here.

**Speaker:** I really appreciate you making time for us. My name, for the record, is jacob loeb. I'm the president of the 82nd avenue business association, and I also write for montavilla news. I recently served on the build a better 82nd avenue community advisory group, and the 82nd avenue tif working group. The 82nd avenue business community has desired positive change and investment in our

district for decades. We envision a place where people live, work, connected in a self-supporting ecosystem. We dream of a long main street business serving local residents and city of Portland as a whole. We wanted a place with housing options for every income level, ensuring people can remain in the area as their finances improve. We want a more prosperous district that makes room for our diverse 82nd avenue community to grow, while retaining the authentic grit that makes it. Our district gives our district character for the for this future to have a chance, we must tame the former state highway that runs through our communities. The build a better 82nd avenue plan is a start for that work. It lays the framework for creating a human scale street that benefits businesses and the people those companies serve. The plan does not fix all of our issues, but it tackles a blocker to progress. For decades, 82nd avenue served Portland as a way of moving people across the city, ignoring the needs of people walking in from surrounding neighborhoods. Over the years, businesses have tried to become destinations instead of roadside attractions. However, uncontrolled traffic has dictated the use of properties along the road's edge, preventing substantive changes. The build a better 82nd avenue plan will disrupt the outside forces enough to allow our community driven efforts to take hold. We know it will take decades to transform 82nd avenue into a safe space for people that measured progress will give our existing businesses time to adapt to serving pedestrians and ready themselves for the new residents. We hope to add along 82nd avenue, rapid change would be nice, but we don't have the money to fix everything today. We need healthy businesses that generate the tax revenue required to build the community. We want this plan, this plan consider considers business needs accounts for vehicle access on 82nd avenue shops and balances that with the safety considerations for our pedestrians. Even in projects underway. Pbot has consulted with affected businesses and adjusted current plans to address

most of their concerns. We appreciate this cooperative approach. We've received the build a better 82nd avenue plan can serve as a prosperity building tool for businesses, while making 82nd avenue community a community asset for those living near it. However, continued community engagement is essential to any future success. The community advisory group has concluded its first goals, but still has work to contribute business engagement. Community meetings. Advisory groups should play a critical role in future planning for 82nd avenue. The plan, as it's presented, collects general ideas and principles representing the wishes of engaged public but still success for pbob future work on 82nd avenue will need to respond to the changing conditions and local knowledge. This plan is a great start and I want to add one of the main principles. Having worked on this community advisory group, kind of universally, we shared the perspective that we still had work that contribute. It was important to everyone involved that we are proud of what's in the plan now, but we also want to contribute more in the future, and we really hope that the future City Council will make room for engaged citizens to participate in the decades of work ahead. Thank you.

**Speaker:** Thank you.

**Speaker:** And I think I'm up next. Hey, duncan. Hi, everyone. Thank you, mayor Wheeler and members of council. My name is duncan wong. I have the great honor of serving as the metro councilor for district six, which includes 82nd avenue. I'm also co-chairing the steering committee that is working to bring 82nd or ethics line to 82nd. And most importantly, I'm a proud resident of the corridor. So first I want to just share how pbob's building a better 82nd plan supports the region's ability to provide much needed improvements to transit on 82nd avenue metro and trimet, along with the city of Portland. We're leading an effort to upgrade transit on 82nd avenue. Currently, 82nd avenue is home to the line 72, which was mentioned to be

the highest ridership bus route in the trimet's whole system, and it's also the most delayed. 1 in 4 busses are late in peak afternoon hours. Transit. Transit riders are pedestrians as well, and the current state of the street is narrow and has deteriorating sidewalks widely spaced crosswalks, poor lighting, and a built environment that's designed more for cars than people, making it difficult for transit riders to access busses safely and comfortably. This plan, the building a better 82nd plan, will guide investments to transform the corridor, improving safety and pedestrian facilities that will also support high quality, frequent and reliable bus rapid transit service. So we support this vision for transit friendly 82nd avenue, where traveling by bus is safe, convenient, reliable and dignified. By adopting this plan, council can make this vision a reality and the plan will guide future investments and we look forward to continued partnership with the city to improve the corridor, respond to community desires and also build well maintained stations for a faster, more reliable bus service. I also just want to mention that this building, a better 82nd plan and the transit project are not only transportation projects. I just want to commend this, the city and the council for being really thoughtful about approaching this corridor holistically. So this corridor or this this council recently adopted the 82nd avenue tif district to support businesses and support affordable housing along the corridor. I know Portland clean energy fund has been making investments in climate resilience, such as street trees and home weatherization. And those types of projects and all combined. We know of a workforce development opportunities for all these public investments are huge. There's, you know, \$500 million to \$1 billion of public investment going in, and that's going to create a lot of jobs. So these projects and programs are transformative, transformative for the corridor. Thank you so much for your thoughtful and inclusive process. And also, I urge you to adopt this as urgently as possible. We also

know that with the incoming federal administration that there'll be a lot of scrutiny on transit projects in our region, and adopting this and moving forward will move us up the queue. So thank you so much for your attention and thoughtfulness on this corridor. Thank you.

**Speaker:** Thank you. All right. And do we have any public testimony on this item?

**Speaker:** We have four people signed up. All right.

**Speaker:** Why don't we hear from those for and then colleagues if you have other thoughts or questions that might be a good time to ask them. Thank you for your invited testimony. We really appreciate it. Thanks for your leadership.

**Speaker:** First up we have terry parker.

**Speaker:** Mr. Parker, welcome. Oops.

**Speaker:** Good afternoon. My name is terry parker. The automobile is one of the economic engines that powers our modern economy by siphoning off construction consumption taxes. Motorists pay. Transit riders and bicyclists are extremely dependent on fossil fuels to subsidize their transportation costs with over 200 trips a day, trimet is transitioning to utilizing electric battery electric busses on 82nd avenue for each trip, just one of these electric busses will do as much damage to the pavement as 2400 cars or more. A \$15 tax on a new bike barely covers the cost of a gallon of green paint, but that's without applying it to the pavement. The \$32 million hole in pbot's budget is in part due to that the alternative mode users are not providing a revenue stream to financially support the costs of infrastructure being utilized. Portland comprehensive plan policy 8.28 continues to be ignored. It reads. Ensure the cost of constructing, constructing and providing public facilities and services are equitably shared by those who benefit from the provision of those facilities and services. The concept to replace full service traffic lanes on 82nd with bus only lanes just to shave a few minutes off of travel time, will not significantly

reduce automobile travel. It will only create more traffic congestion, adding to fuel consumption and emissions. Frustrated drivers will likely be more likely to make mistakes that compromise safety and or use neighborhood residential streets as better performing cut through routes. Any tolling on i-205 will divert to 82nd avenue will divert traffic to 82nd avenue more. Moreover, pbot failed social engineering policy of reducing travel lane widths to only ten feet wide is in actuality a safety hazard for large trucks that can measure 11ft wide, mirror to mirror and vehicles pulling wide trailers like those used by landscapers, there is no wiggle room. Drivers of wide vehicles, including busses, are constantly having their tires crossing over the lane lines. Instead of planning for a ten foot wide left hand lanes on 82nd avenue, all motor vehicle lanes should be need to be a minimum of 11ft wide. Pbot public engagement process continues to be fundamentally broken. Decisions are being made for and by special interest groups and coalitions. Taxpaying motorists are being left out of the upfront decision making process. This is especially true as it relates to 82nd avenue, where input and representation from taxpaying motorists has been more or less absent or discriminately ignored. In retrospect, let's not make another costly mistake like a few years back when all sodium vapor streetlights were replaced with the current led shadow lighting and now must be upgraded to improve safety. Portland has a nationwide reputation of being one of the most congested cities in the united states. To reverse this course, pbot needs to stop removing full service motor vehicle lanes and end the flow of the road diet mindset. The cost of driving will only add to inflation, including at the grocery store. Alternative motors. Alternative users of the city's roadways need to pay their share of infrastructure costs more, so if the city expects to reduce automobiles.

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

**Speaker:** Next up we have kyle johnson. Kyle is joining online.

**Speaker:** Welcome.

**Speaker:** Hello. My name is kyle johnson and I am the vice chair of bike lab pdx. Thank you commissioners and the mayor for hearing from the public today. We are concerned that this plan fails to meet our most basic transportation priorities. What you're being asked to approve today does not include a plan to have a continuous, ada compliant sidewalk or any bicycle facilities or street layout that will create the safe, vibrant main street that east Portland community has been asking for. We have serious concerns that reconstructing parts of 82nd, according to this plan, is against the Oregon bike and pedestrian law, which requires bike and pedestrian facilities whenever a road is reconstructed, retaining a five lane highway fails to create a vision zero street. This morning, a pedestrian was killed on 109th in division a street that pbot recently upgraded, but kept five car travel lanes. We don't know all the details yet, but it appears that someone was going for a jog and was hit and killed. This is the same location that pbot, acting under commissioner Mapps and director williams, removed a new median that restricted dangerous left turns after a business and other commissioners complained, the median was removed against pbot's own policies. And today a Portlander has died. There. The easiest way to create a safer street that has better transit, safer car speeds and space for walking and biking is by repurposing car lanes, which is something this 82nd plan does not do. Over on foster, we can see the success that reducing the number of car lanes has. Foster is becoming a thriving, multimodal and economic corridor and has dramatically reduced dangerous speeding. In 1960, governor tom mccall was facing a major transportation decision. Advocates had been calling for the removal of harbor drive along the downtown waterfront. For years, Portlanders had been holding picnics in between the freeway lanes, demanding that the city

turn the highway into a park. But all the transportation planners told him that removing the freeway would lead to carmageddon. As the story goes, the governor and the Portland mayor stood on the hawthorne bridge overpass overlooking harbor drive. It was there that they decided to buck their own transportation planners and remove the freeway, because it was the right thing to do. That decision took real leadership and vision for what Portland could be today. It's unimaginable that waterfront park could be a freeway. Portland didn't face carmageddon. Traffic moved to the freeway, and today Portland has an amazing downtown public space. This is our generation's chance to take the same bold leadership and give the gift of a safe and vibrant main street to east Portland. I fear that we are not living up to the challenge if we cannot even meet our most basic transportation priorities by clouds bike. The lawsuit is heading for trial this spring and includes 82nd. We encourage you to reach out to the city's attorney office before approving this plan. I ask you to send this plan back to pbot with the courage of tom mcall, and request that pbot resubmit a plan that lives up to Portland's legacy of bold transportation decisions. No more five lane highways in east Portland. Thank you very much.

**Speaker:** Thank you.

**Speaker:** Next up we have aaron keen. Welcome.

**Speaker:** Thanks for being here.

**Speaker:** Thank you. Yes, my name is aaron keen. Thank you for commissioners for letting me speak today. I have concerns with the 82nd avenue plan and its shortcomings. But I also have a recommendation. So like many of the prior speakers acknowledged, there are serious issues on 82nd have been for many years. And this plan does move the ball forward. But we're being asked to wait many, many years for substantial improvements. So 82nd avenue is currently a

dangerous high crash corridor with undersized or missing sidewalks. As was mentioned previously, no bicycle access and no dedicated bus lanes. Instead, 82nd has five car lanes for drivers to race each other, making it a deadly street for people walking, biking, and driving and causing the transit delays that we heard about on this most important bus line in Oregon, which is pretty amazing. For many years, the vibrant communities from districts one, two and three that are connected by 82nd avenue have called for change for dramatic improvements that prioritize walking, biking, transit so that they can benefit from these safe transportation options that other affluent communities currently enjoy and don't be mistaken, many people ride bikes and scooters currently on 82nd. They just ride them on the narrow sidewalks. This is our moment to respond to these calls with a bold vision. There is work underway now to improve the crossings, lighting and traffic signals, but I'm disappointed to reveal to you that essentially, this plan calls for rebuilding 82nd, the same as it is now, with undersized or missing sidewalks, no bicycle access, and no truly dedicated bus lanes. Stubbornly maintaining instead those five lanes for drivers to race their cars. Many excuses are given in the plan for why change is not possible at this time, but the time for those excuses for neglect and for the inaction is over. We must reallocate the extra driving lanes for dedicated bus lanes to truly prioritize transit, to provide access for people riding bikes, and to provide a critical safety buffer for the narrow sidewalks. Commissioners. Mayor, I ask you to provide bold leadership in this plan and call for rose lanes on the 82nd avenue of roses. Thank you, thank you.

**Speaker:** Next up we have zachary lauritsen online.

**Speaker:** Hello, zachary.

**Speaker:** Hello, mr. Mayor, and councilors zachary lauritsen for the record, Oregon walks and also the manager of the 82nd avenue coalition. This may be the last time

I am in testimony testifying with you as the council. I just want to take a moment to say thank you for your service. Lots of fire, lots of heat, lots of stress. And I just want you to know I appreciate it. I appreciate you being willing to do that and serve the community. So thank you. Thank you. Last time I was here, we were talking about tiff and I assured you that 82nd avenue was sexy and I just want you to know, rest assured, it still is. So I just want to make sure that's the case. We're all on the same page. 82nd is awesome. There's all kinds of cool things happening out there, and a lot of amazing investments. I really appreciate a ton of the work that julia and her team have done with zeph and brianna and nicole, and that team has been awesome to work with and really appreciate that work. And there's a lot of really amazing work in this plan. You know, I got my start at 80 on 82nd avenue. I actually got my start at organizing on 82nd avenue almost three years ago. And that entails like meeting fred on the street and just getting to know them and talking to organizations and churches and schools. And there are themes that have come up over and over again. And I just want to share a couple of those, and then i'll get to what I'm getting at here. You know, one is folks are really worried because we're talking about maybe up to a billion dollars in public investment on this corridor over the coming years. And there's a lot of worry, fundamental worry that that will change the price of living along 82nd avenue and that folks who are living there now have been there for decades, won't be able to afford staying there. So this anti-displacement work around like keeping people whole, top of mind folks who have been really consistent about that concern. Huge discussions around trees, green space d paving, bringing the temperatures down on 82nd. There's a lot of great stuff in this plan around that. There's a lot of great investments from pcef to do that work, and we've got a long ways to go, but that's been a huge theme. And there's another huge theme around housing. And like activating the space and making it so

people want to come and spend more time on 82nd, linger on 82nd. There's one other big topic that has come up over and over for almost the whole three years that I've been doing this, and that is the question of lane dedication. And I think you can see by the testimony today why I mean, it is on top of mind. You've got terry on one side saying, I want it to be completely dedicated to the vehicles, and you've got kyle and aaron saying, no, we need space for transit, we need space for bikes. And where I think this plan misses is we have a conversation and I'm concerned I'm not advocating for one or another. Lane dedication. What I'm saying is community really wants to have that conversation. They are dying to have that conversation. They want to know what the future of 82nd avenue looks like. They want it to be slower, they want there to be fewer cars, and they want it to be safer so that they can walk their kids to vestal. The kids can get to mcdaniel, they can go to church. Those are the themes that I'm hearing. And I think we're missing that in this plan. And so I don't know what that means for you all in terms of today's action. But I do think that there is a component here where we really need to put a pin in the ground that says we need to have that discussion, and we need to have it now with the community about what's the future of 82nd and the lane dedication. Thank you so much. Thank you.

**Speaker:** That completes testimony.

**Speaker:** All right. Very good. Great testimony. Thank you everybody. You testified obviously you came in here very well informed and with some really good ideas. So we appreciate that. Colleagues. Any questions or thoughts. All right. Good. It sounds sounds like there is some. Yeah. Commissioner Ryan go ahead.

**Speaker:** Thank you julia. People really were giving you a lot of support for your great work. So thank you. Greenways. Are there greenways on each side of 82nd like on 81st or 83rd?

**Speaker:** Yes. The plan calls for a set of north south parallel greenways. Parallel good and parallel greenways adjacent to 82nd avenue on parallel streets, and then regularly spaced bike safe crossings of 82nd avenue.

**Speaker:** So I need to look at the map again. But is there also. But there aren't bike lanes on 82nd?

**Speaker:** There are no bike lanes on 82nd avenue, and it's because you decided to do the greenways on the parallel streets on each side is because our policy guidance is clear that 82nd avenue is a major street for all modes, with the exception of bicycles, which have has a lower policy classification for 82nd avenue. That said, we still explored the opportunity, the possibility of providing protected dedicated bike lanes on 82nd avenue, but found that the resulting delay for transit if we were to dedicate the space for bicycles, the delay for transit on the highest ridership line in the state would be too high.

**Speaker:** I'm enjoying this. Is there currently? Currently there's no greenways, right?

**Speaker:** There are currently greenways but scattered the plan. The plan helps to connect gaps that are in in the greenways. Okay.

**Speaker:** And you said that they'll have arterials to connect with 82nd. When you're on say 81st, you can ride your bike into the main street.

**Speaker:** Yes. Connections safe bike, safe connections and crossings of 82nd avenue at regular intervals.

**Speaker:** I haven't walked this like I do with some of these reports before. I see them, but I know that just with division, I could. When I dove into that, I could tell that the small businesses and people that lived along there, they really wanted greenways on each side of division, and they think that we tried to put too much on

one street that also is quite busy. So maybe there was some lessons learned from that. Okay, thanks.

**Speaker:** Could I ask a question about the bus lanes that was raised? Tell us about the bus lanes. Sure.

**Speaker:** The action before you today to approve the building of the 32nd avenue plan does not, neither commits the city to nor shuts the door on bat lanes on 82nd avenue. In the future. There's a related but separate initiative called the 82nd avenue transit project that will include a public process related to scenarios for different bat lane allocation options on 82nd avenue, and the public will be involved in that process and able to contribute to that process.

**Speaker:** And it sounds like there are community partners like zachary and Oregon walks and others who are working with you and can help engage the community in some of those future discussions. Yes. Good. All right.

**Speaker:** That's and trimet as well.

**Speaker:** Commissioner. Right. Yeah.

**Speaker:** The sidewalks are increasing. From what to what the sidewalks on 82nd avenue today are incomplete in some areas.

**Speaker:** And in other areas they're they're narrower than our standard, which is 12ft citywide and 15ft in pedestrian districts with the current funding that we have, we simply don't have the current funding to rebuild all of the sidewalks on 82nd avenue to city standard. We have made a commitment in the plan to close to complete all the sidewalk gaps on a second. So where there are no sidewalks today, this plan commits to close to building sidewalks where there are no sidewalks today. And we are working with partners and have an understand that there's an existing ask of pcef to help expand sidewalk space on 82nd avenue, which would

allow for reconstruction of more sidewalks and planting of street trees, and would really go a long way to improve the sidewalk conditions.

**Speaker:** That makes sense, Julia. And you've been in consultation with the small businesses. The main street of 82nd on that seems like that's something they'd want. Okay. All right.

**Speaker:** Thanks. Great.

**Speaker:** Any other questions? This is a resolution Keelan. Please call the role maps.

**Speaker:** I want to thank everyone who testified today and participated in pulling together this important project. I am proud to vote in favor of the building a better 82nd plan. As we've heard today, this plan presents a bold step forward for one of Portland's most critical corridors. This plan prioritizes the needs of pedestrians, cyclists, and transit users, ensuring safer crossings, better lighting, and increased access for everyone. This plan also reflects our commitment to climate change by adding trees, improving stormwater management, and supporting zero emission travel. This plan is not just about infrastructure, as we've heard. It is also about people. It's about creating a welcoming and thriving environment for families, businesses and everyone who calls this corridor home. I want to thank the community members and stakeholders who have worked tirelessly to shape this vision. I vote yea yea. Rubio.

**Speaker:** The vision for a safer and greener and multimodal, friendly 82nd avenue has long been a desire for this community and a desire for local voices to stay engaged. So I'm really glad for this plan. And adopting it doesn't mean it's at the end. It's just really the beginning of the next phase of work. But it's a really significant step towards finally prioritizing those needs of 82nd avenue community members, especially the neighbors that have been historically underrepresented.

As this neighborhood developed along the corridor. And all the concurring planning that's happening around affordable housing and homeownership and economic development and climate action, together with this work will be transformative, I believe, for this corridor. So I'm very excited to watch the progress of this work as it unfolds. And congratulations to everyone on this important step forward, I vote aye.

**Speaker:** Ryan.

**Speaker:** Julia. Good work. I remember when we were always blaming odot because they had control over 82nd. So it's really high. It's wonderful that in two short years we've been able to really focus on this, bring in more community. And the vision is there. And like commissioner Rubio said, it's a the vision is clear and you have all the right people. I just hope you keep them at the table because the testimony was awesome. You know, you're invited. Testimony, not to be surprised, was very supportive of everything. And then when you listen to the other testimony, they were kind of on the edges of each side. So I think you're managing that tension really well when you have both sides upset. And so I applaud you for that. And I'm really happy to hear about the greenways on each side. I do think that's smart. I think sometimes in Portland we try to put too many modes of transportation in a small space, and we're not connected to the reality of the importance of that arterial to move goods and services around which everyone wants. So I think you're striking a really great balance. I look forward to seeing how this will evolve. And I know that the that's in district, it's in two districts, right? In the new three. Is it in two as well. It's one. It's in one three. Yeah.

**Speaker:** So there's two of them a little bit of the north a little bit of the north.

**Speaker:** Oh two goes all the way up to 82nd. Oh yeah. Way out by the way up north. Okay. It's so humbling to transition into a new form of government. Anyway, I vote i, I just want to acknowledge the good work of staff on this.

**Speaker:** And to echo both a small piece and the big piece that my colleagues have alluded to, I'm a fan of greenways. I always have been. I thought, I think this is a somewhat elegant solution to the challenges of trying to support the traffic that already is on 82nd, also providing a safe place for cyclists and potential walkers. And so I know that's not going to make everybody happy, but I appreciate what you're trying to do here. I also want to acknowledge the bigger piece that what eastside wants in terms of transportation, you're going to get different answers depending on who you ask. In eastside, there are subsets that strongly disagree about transportation policy. In east Portland, and it's not a monolithic population at all. Differences of opinions and good luck in sorting that out in the coming years.

**Speaker:** I vote yea Wheeler I am an enthusiastic.

**Speaker:** I vote I the resolution is adopted. Thanks everybody for the hard work you've done, the hard work you will do going forward. But boy, what an improvement this is going to make for that part of the city. Well done. Thank you. We're in recess. For the next eight minutes. We'll reconvene for a time. Certain item at 3 p.m. We're in recess. Reconvene here folks, if we could, please. Next item is 1057 times certain. 3 p.m. First reading of a nonemergency ordinance. Keelan. Take it away at wireless facility operators to the utility operators code, and amend fee schedule to include wireless facilities in the right of way. Colleagues, our next agenda item is an ordinance that requests amendments to an existing Portland city code. It is chapter 12.15, which is the city's right of way code. The ordinance will adopt changes that will include wireless companies in the right of way code and charge the appropriate fees to wireless assets located in the city's right of way. I'll

now turn this over to dca. Danny oliveira and his staff, and many others to present.  
Welcome.

**Speaker:** Thank you mayor. Good afternoon, council don oliveira for the record. Commissioners, you may recall that this council adopted ordinance number 191613. Who could forget in January of this year, which added a new chapter to our city's code, 12.15, now known as the right of way or the road code. The code passed at that time covered all users of the right of way except wireless companies who operate assets in the right of way at that time, this council directed staff to conduct a separate engagement process with the wireless companies to address the much needed right of way code edits for the for their particular use as an industry, as well as to conduct a fee study for small cell facilities located in the right of way. So today this item is the phase two of that project that completes the right of way code and which includes the wireless component that we deferred to this moment. Since December of 2023, bts staff have been working closely with the wireless companies to identify and discuss code edits and to conduct that small cell fee analysis in coordination with industry and cost study consultants. I'm joined today by eric engstrom and andrew spear, who's the franchisee franchise utility program manager at bts. Eric and andrew will oversee the franchise agreements and codes that make up the right of way. Andrew has been working with the industry for quite some time now, since bts assumed responsibility for the right of way, and he'll he'll talk through some of those those changes as such. And with that, i'll turn it over to eric and andrew for the presentation. Thank you.

**Speaker:** Hi. Good afternoon. My name is andrew spear and I'm the franchise utility program manager in bts. I have a short slide presentation that i'll share with you. And then happy to take questions.

**Speaker:** While you're setting that up, donnie, could I just ask a question? I realize I'm introducing a technical amendment to this on behalf of staff later. I do have a description here, but is somebody going to give a little more information on that, or do you want to just hold off until until I get to that?

**Speaker:** That's correct. Yes. Once you introduce that, we'll provide some context.

**Speaker:** If people have additional questions, we can address it. So heads up I will be making a technical amendment after all of this. Got it again.

**Speaker:** Good afternoon. Thank you for having us. And I have a short presentation that covers the work that we've done with industry, and then a little bit of background on what's included in the edits. Again, I just wanted to provide some context about the right of way generally and how this code interplays with access to the right of way. Before I do that, I just want to set the stage of what the right of way is and how we think about it. Roughly 20% of our physical assets of the city that the city owns, valued at \$13 billion. When we think about the right of way and access for utilities, we think about the digging of streets, poles and wires. And so this code and then the consequent changes for wireless companies are related to access of the right of way for those installation of those assets, how the city is historically managed, access to the right of way through physical franchise agreements between companies and the city, which are 1 to 1 agreements. We previously had 50 plus franchise agreements, and then we also manage the access to the right of way through chapter 7.14, which is the utility license. The right of way code. Chapter 12.15 was passed this past January. We engaged with industry stakeholders to adopt that the changes necessary to pass the code, which was passed in January but did not include the wireless companies as part of that effort. That code that was passed in January became effective in April 1st of this year, and I wanted to share just a few outcomes of what we've realized and implementing

since April 1st. It's helped create bring those expired franchise agreements, which we had 50 plus on those expired franchises came on to the right of way code. We had about 22 companies that were operating in the right of way without an active franchise agreement or, excuse me, expired franchise agreements. So those companies are now in compliance with all aspects of their operations in the right of way, in terms of access. And then we just found efficiencies in operating and assessing fees, consistency, transparency. One code to operate access for entrance into the right of way. Now i'll switch to the process that I conducted with the stakeholders for the wireless companies following the passage in January.

**Speaker:** Can I ask a question just before you move off? And I don't want to forget it. Yes, ma'am. So I just want to make sure I understand what the euphemism means here. So when you say that they were operating without a current agreement, does that mean they weren't paying for it?

**Speaker:** No, they were still paying for their franchise fees.

**Speaker:** But the fees. But they weren't under the contract for the time period that they were there.

**Speaker:** We were under an expired contract with the evergreen clause. So it it's wasn't we weren't out of compliance in terms of a contract. It's just we weren't having we didn't have a current contract that was defined during a period of time. And so normally you would be entering into a negotiations to renew those contracts. But we were working on this effort for the right of way code. And so that was put off to the side. Those efforts to renew.

**Speaker:** Well, and I won't belabor an obvious point. Obviously, there needs to be some system in place so that people know when those expire and make sure that there's a process leading up to the expiration. And I know you now know that, so I won't bother you with it.

**Speaker:** Again, thank you. And the code helps us bridge that gap. Right. We don't the code does not expire. And we just conduct license renewals with the companies who have that are part that fall under the code.

**Speaker:** And it is our responsibility to reach out to the companies or the other way around, or who's responsible for making sure that happens.

**Speaker:** Me and my group are responsible for contacting, and now you have a process in place where you know the calendar, you know who's due when and all that.

**Speaker:** Correct?

**Speaker:** Taken care of. We're currently renewing the licenses for next calendar year.

**Speaker:** Okay. Good. Thank you. Yes. Well done.

**Speaker:** So in terms of industry engagement since January of last year or January of this year, excuse me, we've conducted multiple meetings and stakeholder outreach and they're listed here. But i'll just focus in on the issuance of a rfp and process to work on a cost study. We've also held meetings over the summer for meetings for redline edits to the code that adopt the industry specific changes required for wireless companies to be a part of the to fall under the code and operate within the right of way. And then we also held four meetings to conduct the cost study itself. And the parties included in the cost that are listed here. But the three main carriers and crown castle, notably. And then in terms of the changes to the code from the current 12.15, it adds an addition to the industry section, which is sections 090 of the code that adds all of the specific requirements needed for the wireless companies as an industry to be to have access to the right of way and gives clarity to them for their operations and the access pieces of their infrastructure in the right of way. And then it also clarifies for what they pay fees on wireless

companies pay fees on a per site basis versus other payers in the right of way, who pay a percentage of gross revenue or a per foot basis. And then we also updated the fee schedule to include the macro and small cell fees under the code. And then this just wanted to briefly remind exhibit a includes the red line changes of the code itself and exhibit b includes the fee schedule, which adopts the macro and small cell fees per the macro fee is per current fee structure, and then the small cell fee is the fcc safe harbor rate, which the council amended in January, as well. And that concludes my presentation. Mayor. Happy to take questions.

**Speaker:** All right. Very good. Any other questions at this particular juncture, I may have some, but I think there's public testimony on this, and I want to introduce this technical amendment. If there's any questions on it, I want to give people a chance to chime in on it. So this is an amendment that defines the use of the right of way is for utility services. So is the amendment, as I understand it uses it clarifies that uses conducted under the code or for utility services only. And it further defines the role of bts in administering the right of way. And is this this is the amendment here, correct? Yes. Okay. Very good. So I move the staff amendment is shown on the slide, and I'd be happy to accept a second, second commissioner Mapps second. Are there questions on this or is there any further clarification? Yeah.

**Speaker:** Can someone at that side of the table tell us a little bit more about this amendment at the don?

**Speaker:** Don oliveira for the record, commissioner. Great question. So at the most simple way to describe it is this clarifies when we're talking about right of way what use we're specifically referring to. So this is relating to utility operators in the right of way. Pbot for example, manages the right of way for other uses such as loading zones or lift tanks. That does not does not covered in this this this definition

clarifies that when we talk about right of way access, we're talking about the access to the right of way for utility operators.

**Speaker:** Okay. And in terms of how we got here, remind me when we created the utility operators code.

**Speaker:** So this this code is essentially doing that. Right. So historically we've managed through a franchise agreement right. We've developed now section 12.15 which is specific to utility operators in the right of way code. This code specifically is the access to the right of way. And our colleagues and pbot, for example, manage the infrastructure within that, including other uses of the code or of the right of way. Excuse me.

**Speaker:** Okay, I think I understand what's happening.

**Speaker:** Good. And I had heard a previous discussion on this suggests this. And maybe michael, this is partially looking at you as well, that this could be seen as an example of efficiencies that we're finding as we move to the new form of government. Would you characterize it that way? Well, yes, in one way, I think we have historically, at times mixed our responsibilities when it comes to the right of way. And it's been a little bit confusing about who was on first and who was doing what. And I think these these processes are starting to clarify this issue of access to the right of way versus the management of what's in the right of way. And, and sometimes pbot and the old office of community technology sometimes got those roles mixed up. And so this helps to clarify that. All right. Very good. And although it's a technical amendment i'll leave it open for public testimony just in case somebody wants to testify on the technical amendment. If there's some other aspect people want us to know before we take the vote on that, move the whole package to second Keelan how many folks do we have signed up?

**Speaker:** We have, sorry, two people.

**Speaker:** All right. Very good for this one. Three minutes each name for the record.

**Speaker:** First up, we have alex loop.

**Speaker:** Hi, alex for you. Thanks for being here. My pleasure. Alex loop for the record, he him pronouns and I'm here representing verizon.

**Speaker:** 18 months ago I came before the same body in opposition to a previous version of this code. At the time, I lamented the lack of a real stakeholder process, the need for more transparency, and the need for a real cost study that looked at what is actually going into maintaining and granting access to the right of way. And I ended my testimony with, you know, a desire to come back and say, yes. And that's what I'm here to do today. And so I first, I first, I want to say I support this code and I support the amendment that you're offering. And I just want to extend my deep appreciation first to principally to andrew spear. Andrew spear really worked with with me and the other stakeholders in a way that we haven't seen before. And I think it really bore some good fruit. And I think it's a model for how to proceed with these sort of industry and public sector, you know, policy issues that are important. I also just want to want to call out the entire bts operation. You know, deputy director oliveira and I do want to also call out commissioner Rubio and her staff for getting the cost study process going. And really listening. This has been a hard fight. And as you know, I've been up here in opposition a lot and it's really nice to come up here and say yes. And I want to make sure that when I call out the bad stuff, as I often do, I'm here calling out the good stuff. So with that, i'll end. I'm happy to answer any questions, but again, I want to thank you and I look forward to continuing in this spirit of cooperation as we move into this new form of government. And we look to build more services for people who live and work and visit here.

**Speaker:** Thank you very much. I just want to say how great it is for you to be here for no other reason than to acknowledge the work that people have put into this. Andrew, the staff commissioner Rubio and her team that doesn't happen very often. So thank you.

**Speaker:** Well, I think it's a I think I guess like like I said, I'm here saying no and I'm here raising when there's a problem, I'm going to be here. And you all know, we remember. You remember. Right. But no, I think it's I think it's important. Like I said, it's important to call out when things go well because I think there's not enough of that. And this is not easy for anyone. And so I think that it's good to, to call out the good work and, and the good staff work that's gone on. And so that's, that is why I'm here.

**Speaker:** So thank you sir. Thank you.

**Speaker:** Next up we have cathy. But.

**Speaker:** Welcome. Thank you. Good afternoon, mayor Wheeler. And members of the City Council. For the record, my name is cathy putt, and I'm testifying today on behalf of crown castle, which is a shared wireless infrastructure provider operating here in Portland and throughout the surrounding community. Thank you for the opportunity to offer testimony today on proposed ordinance 1057, which of course updates title 12 to address usage of the public right of way for wireless providers. As you know, wireless services are critically important in today's economy and in our everyday lives. In fact, it's important to note that 80% of all 911 calls come from a wireless device. As we all continue to use more data, it is vitally important to be able to update the networks as needed in partnership with the city. And in this vein, I'd really like to thank the city and andrew spear and bts in particular for their continued willingness to work with the wireless industry. As we've worked through the code update and the proposed cost study on behalf of crown castle, we support

adoption of proposed ordinance 1057, and we appreciate your willingness to expand the case study beyond wps to include other city departments, most notably pbot. So again, thanks to all of you for your continued willingness to work with the industry. Thanks in particular to the staff who have worked really hard on this. We support adoption of the ordinance, and we also support adoption of the amendment. Thank you again very much. Appreciate it. Yeah.

**Speaker:** Thank you. And, cathy, I don't know if you heard the technical amendment, I assume nobody it doesn't sound like anybody here has. We're good with it. Okay. Cool. Good. Thank you everybody. Appreciate it. Thank you. All right. That completes public testimony. Colleagues, any further discussion on the amendment, please call the roll on the amendment.

**Speaker:** Mapps I yea. Rubio I for the amendment amendment.

**Speaker:** This is just for the amendment I Gonzalez I the ordinance is amended.

**Speaker:** This is a first reading of a nonemergency.

**Speaker:** You know what, mayor? Did we ever get a second for that? Yeah.

**Speaker:** Commissioner Mapps.

**Speaker:** Oh, okay. I'm sorry I missed that.

**Speaker:** Do you think I've overlooked a detail like that? Me?

**Speaker:** No, of course not. Actually, mr. Mayor, my mistake. Yes.

**Speaker:** Before we get we put this to bed. Can I ask andrew a question of course. Or whoever would be. Number one. Thank you. As the mayor appropriately pointed out, it's sometimes rare to have stakeholders come back together on a controversial topic and be relatively happy. So and so, thank you for getting us here. This has been a complicated policy space, which we have been grappling with for at least a year. When I take my brain back to where we were, I think in January,

there was some controversy around the fees charged, which is why we did the rates. The fee study, is that roughly correct? I might have screwed up the language.

**Speaker:** Yeah. So there's a two part well, I guess is what's your question?

**Speaker:** My question.

**Speaker:** What do we what did we learn from the rate study. It seemed like we had some rates on the on the, on the table a year ago. They were controversial. We decided to go do a study. I think we got the study back. That gets us to a new fee schedule. I'm just trying to figure out what what lessons we have learned from from this exercise. So I could be a smarter policymaker in the future. And future.

Members of council who perhaps have to touch this bit of code might have some insight into this space. Is it?

**Speaker:** Is it possible that you give 30s of background as to why the cost study and the ftc and the other just the legal framework? Because it has been a while since we've tackled this. And just to get the baseline of why we went down that path and, and then to build off of commissioner Mapps question, do you want to give the technical.

**Speaker:** Yeah, the technical background is the fcc in order? 621 in 2019, issued guidance on small wireless facilities and the fees allowable to charge and in that order, they call out a small cell fee of two. At the time, \$270 per site.

**Speaker:** That was a safe harbor, that was the safe harbor fee.

**Speaker:** And then jurisdictions were allowed to charge higher than that fee if they could prove they were cost based fees. Okay.

**Speaker:** And so that's essentially what our cost study was, is to confirm that we could charge more than that, somewhat so parallel to that, that directive from the federal government, we had historically had a grandfathered in rate that we were

charging and so council directed us to do that cost study to see if our numbers were, you know, appropriately, you know, being charged to the wireless providers.

**Speaker:** We conducted the study. We came back with in concept, a number that we think is the appropriate number, which is lower than the traditional number. However, what's before you today is not that number. And the reason being is we're going to keep the rate at the inflated with inflation adjustments, safe harbor rate until a further conversations with our colleagues across the city that we might come back to the next council with a new fee structure that's not the safe harbor.

**Speaker:** So, okay, that answers my question. I'll make sure.

**Speaker:** So the new fee schedule is basically the safe harbor number. Adjusted a little bit and you'll. So what did we learn from the rate study.

**Speaker:** The I guess the key takeaway is that the number that we were charging per unit was was probably a little high. And so the study came back with an adjusted number.

**Speaker:** Okay. Thank you. The second question I have, which I think probably goes a little bit beyond exactly what we're dealing with today. So when these fees come in, what fund do they go to. Do they sit in the general fund or do they go someplace else, their general fund, all right. Have they historically always gone to the general fund?

**Speaker:** There was a time when some of the fees were specifically directed to bureaus.

**Speaker:** Yeah, like pbot like pbot. Yeah. Okay. All right. I'll just. This will be my last chance or one of my last chances to talk about this. We all know pbot has some challenges financially. One of the strategies past councils have approached to help stabilize pbot's budget is to take a look at the fees that come through programs like this for various reasons, council moved away from sending that money over to

pbot. I will just let future policy folk know that pbot financial challenges will not be resolved by the end of this calendar year, and as councils think about how you go about making things pencil out in the pbot space, I think it's worth remembering that this is a strategy that at least previous councils thought was a good idea, and I'm not quite sure why we moved away from that.

**Speaker:** I have a quick question. So just these questions are raised one for me. So then the cost study that was done, what was included in that cost study and was pbot then included in that cost study?

**Speaker:** I can i'll let andrew get into the specifics, commissioner. But to answer your question, we originally focused the rfp on the access to the right of way, which was what essentially this code incorporates. There was a request at some point. And, andrew, you can speak to the specifics of your conversation with pbot about including some of the pbot fees as a part of that. At the end of the day, that was not included. We just focused on the access, but we did want to articulate some of those. Yeah.

**Speaker:** Commissioner, it was we the fcc order talks about access and operations kind of in conjunction with each other. And so we were focusing on the access because the code is, as donnie mentioned. And so during the course of the process with industry, they brought up this need to have a more holistic look and looking at access and the operations of the right of way. Right. I don't have the interface into pbot, and that wasn't an obligation. I could allow. So I was very clear with saying this is about access. We don't we at this time don't have the opportunity to look into pbot. And so that that was just where we landed. And in the process. And I think, you know, industry was raising this as a as a, as an issue for them. And thinking about fees generally for small wireless facilities.

**Speaker:** Okay. But it is going to happen at some point or I would defer to dc on that.

**Speaker:** Andrew, just so you clarify one part of your answer, commissioner. So you're using use and pbot interchangeably there. I'm just want to make sure because so we have access and we have use. And I just I guess I'm not. Yeah. So nexus between use and pbot.

**Speaker:** There commissioner access would be like getting right the contract to allow you to be in the right of way. And that's my group. And then operations would be like a pole attachment and the right of way agents that manage the specific right of way aspects of a pole, you know, poles and wires in the right of way. And then therefore small cell facilities on a pole. That is the operations side that we didn't look into as part of the cost study. And so but commissioner Mapps is asking about traditional council policy of allocating how this revenue comes in, whether it should go to pbot.

**Speaker:** And I think commissioner Rubio was asking, I just want to make sure I'm following the difference, because it feels like there's different pieces here that the piece of the question from commissioner Mapps is, I think the fund, the recovery of my group manages the recovery of those dollars from franchise payers.

**Speaker:** That's that's the flow of recovery of the dollars and then going to the general fund. And then I think the specifics on the fee structure, there's the fees that pay for access to the right of way, which in this case, we're talking about per cell site fees and that's managed through my group. And the recovery of those dollars. And then there's other fees, construction permits, other utility specific or in this case small cell or macro cell specific costs that are paid as part of being in the right of way for the operations side of.

**Speaker:** And those are paid to pbot. Correct. Got it. Okay, now I get the nexus. Sorry to interrupt. I just wanted to make sure. Yeah. Okay.

**Speaker:** Sorry. Got it.

**Speaker:** Was it a question for pbot?

**Speaker:** It was about the cost study. If there's a scenario where you might do a for pbot fees.

**Speaker:** So pbot already has a cost structure in place and it's based on a cost recovery model at this time. To do a cost study it's going to take budget. We don't have it in the budget right now. It's going to take resources and budget to be able to update the cost study. So we're not going to be able to do this at this time. If there is interest or if there's direction from future city leaders, we will be happy to take a look at it. At that time. Okay.

**Speaker:** Well, now I'm curious how much does that cost? To do the cost study.

**Speaker:** To do the cost study.

**Speaker:** I heard it was because of resources.

**Speaker:** I think the cost study for ours was about 35, \$35,000. Yeah. Could there wasn't a way to do it together.

**Speaker:** I'm just curious.

**Speaker:** We at some point, Andrew had reached out to pbot staff for just a review of our scope, which there was an opportunity to incorporate that. I mean, on the fly here, happy to have a conversation about resourcing the study, if that's if that's the ultimate gap. But I think we have a contingency fund for this work. The, the for context, commissioner, this is a question of the model that the city of Portland uses for right of way management. So cities across the country, some have these fees combined, some are separate, some are split up in multiple ways that different than ours. So it's almost apples and oranges comparisons at times. Having said

that, there is certainly financial capacity. If we wanted to do a if we if that's what we're compelled to do to support pbot from our side, it does muddy the waters. The difference between access and use of the of the right of way, as described by pbot. And so I think that's where we're not ready yet to do that. But we could it's not it's not an impossibility. It's just not where we're at.

**Speaker:** And I think this opportunity to have further discussion, to see how we can we have two different fees for the right of way and this opportunity for further discussion with and have a one city approach. And we can we can discuss that and come back.

**Speaker:** In January.

**Speaker:** Yes. Can I ask one more question before we go for it?

**Speaker:** Yeah, we have plenty of time. Yeah.

**Speaker:** Commissioner Mapps I'm going to kick this over to the city administrator and i'll be transparent. I'm way out of my depth in terms of the mastering the details here. All all the dynamics. Our city administrator, do you have any advice or thoughts on what policy work, if any, policy work still needs to be done in this space? We were putting a message out to future councils, or do we basically got it?

**Speaker:** Well, we've gotten a couple of items that have come up in the discussion. One, I think you're particularly interested in regarding revenue generated from use of the right of way. And so I think that's a policy discussion that a future council can have in the context of revenue. And how it's allocated and how it's used. So I think that's a fair conversation. I think what we've just been talking about here, quite frankly, is a little bit of a reflection of our history. Bureaus said they wanted to do things and bureau said they didn't want to do things. And sometimes never the twain shall meet. And we may have missed an opportunity to leverage. So I think the two dca's are going to talk about this, and we might find a way to alleviate this

issue. That said, I want to make sure people understand that the fee that pbot assesses is built on a different methodology than the fee structure here. And so they are different questions. But we may have missed a bet on collaborating on the cost study. So we're going to fix that. Thanks. All right.

**Speaker:** Anything else. All right. This is a first reading of a non emergency ordinance. It moves to second reading as amended. And we are in resource reserves are in recess until 4 p.m. Time certain.

**Speaker:** Thanks. Thank you. Very.

**Speaker:** The city ordinance amend Portland city code title 24, building regulations to add chapter 24.31 to address transient lodging.

**Speaker:** All right. Thank you, everybody, for your patience. I know it's been a long day. This is obviously a very important issue. This is Portland permitting and development p and d is slated with implementing the state building codes as delegated by the state as well as, of course, our own local regulations as allowed by the state, including what we all know and love is title 24. The purpose of the building code is to ensure the safety, the usability and the energy performance of structures within the state. And with that brief introduction, I'm going to turn it over to donny oliveira, who is our deputy city administrator. But before I do, I want to say for the third time, for those of you who are testifying, we have quite a few people signed up. We want to make sure that we have the opportunity to hear from everybody who would like to speak. And so we are asking you to please limit your talking points to two minutes. When we get to the public testimony portion of this effort. Donny, to you.

**Speaker:** Thank you. Mayor Wheeler. Good afternoon, commissioners tony oliveira, for the record. So today's discussion is focused on an amendment to title 24.31 of city code focused on short term rental requirements. This amendment

addresses changes made last year to state building codes and ensures our regulations remain aligned with those updates. But before I make way for the staff presentation, I think it's useful for this body and the public to understand this ordinance in the context of the broader work. The city is undertaking related to accessory short term rentals and short term rentals. As a reminder, the city is one of the first major cities in the us to adopt rules for short term rentals, such as those provided through portals like airbnb. That was in 2014, and when that ordinance was passed, the model for short term rentals was much, much different. The original model focused on homeowners renting out a room in their home, and evolved to homeowners renovating basements or their garages to adus. And the city of Portland absolutely supported that. But today, we see a lot more strategic enterprises that are working on much larger scale. And these these models are closer to a hotel or motel operations. And while we're not, this code doesn't outlaw those. We're certainly catching up to this usage in our city. And candidly, the city's ability to enforce and maintain compliance hasn't been great for a host of reasons. Mainly that we were the first out of the gate to pass a code. Subsequent codes in title 24 and in 6.04 still need to evolve again. That's no fault of bureaus or staff. We just were catching up to an ever evolving and iterative enterprise in the city. Earlier this year, commissioner Rubio, and then subsequently mayor Wheeler, directed staff to really strengthen our implementation of our codes related to acr and str. And that pathway has taken shape in four distinct stages and ways. First, this council has already adopted title 33 changes that went into effect October 1st, that provided greater efficiency for Portland, permitting development and going forward to enforce against falsely advertised units on the portals. Second, we are working with airbnb directly on beta, a better data sharing for more effective compliance with registered or unpermitted properties. And third, bts has been directed

planning sustainability. Excuse me to conduct a calibration study on our existing codes. Again, this code is ten years old. It was right at the time, but it's since probably outdated and we're long overdue for an evaluation for an update. And that will be coming to the next council sometime next year. And then fourth is the ordinance before you today for quite some time now. This is not a new issue. P and d have been working with the state about how to implement title 24 as it relates to short term rentals, short term rentals without a permanent resident are typically classified as commercial structures due to their use, which is similar to hotels. This amendment reinforces that classification and gives p and d the authority to enforce essential life safety measures. These measures protect both occupants and neighbors by addressing key safety requirements, such as installing fire sprinklers when buildings are close together and ensuring safe egress in emergencies. To be clear, again, we are not outlawing these uses. We simply are ensuring that they are meeting the standards that are similar as other uses in our city. And they're required to meet them, and removing the ambiguity of the city to enforce our own building codes. The amendment before you today is narrow in scope. It transfers regulatory authority from the state building codes to local ordinances, ensuring we can enforce critical safety standards for these properties. While it is narrow, it is no less important. The life safety regulations addressed here are critical, and any delay in adopting these changes means continued gaps in enforcement, which we cannot afford. And with that, I'm going to turn it over to staff to walk through the specifics of the requirements. Thank you.

**Speaker:** Good afternoon, mayor Wheeler and council, for the record, my name is matt russell. I'm the building official for the city of Portland, and I have with me jodi morrison, our building code analyst, and fire marshal schimmel.

**Speaker:** We're here to discuss changes to title 24 and regulations for short term rentals. We have a brief presentation going over the proposed changes. Accessory short term rentals or acr for short, are typically in residential neighborhoods and have primarily residents have a primary resident living in the homes for a minimum of 270 days a year. This ordinance will not affect acr requirements, rather, they are looking at a different kind of short term rental model that are more closely. They more closely reflect the small hotel industry. Short term rentals or strs for short, are primarily in commercial zones, and they operate like a small hotel with no permanent resident. We've been consistently regulating short term rentals as commercial structures for the last 10 to 12 years, so the regulations are not new. What is new is that in 2023, the Oregon building codes division added language to the code that excludes post occupancy, lease or rental agreements. Short term rentals, vacation rentals and similar uses from the codes authority. What this means is that the authority we had relied on for the regulations changed, and we needed to address this at a local level. The state did, however, add language stating that the local municipalities can regulate these through ordinance or through licensing requirements, and this topic is not new. This has been discussed at the national code level and is continually progressing. The safety requirements for both acr and strs are a topic nationally that continue to evolve, and each city has a different approach on how they regulate these. These structures. In response to the state building code change, we implemented a code guide to address this locally. The code guide was challenged when we tried to regulate the life safety provisions, and the state provided a letter in October of this year stating that we needed to have this an ordinance. And this is why we are here today in response to the process and the state guidance. Again, we're not changing the way that we've regulated these buildings. As I mentioned, we've been doing this for the last 10 to

12 years. We're simply changing the authority from the state to local authority. Tangentially, we are also proposing an administrative rule to address the technical requirements that reflect the provisions in the building code guide that we had put together. Again, since these operate as small hotels, the codes are providing minimum safety requirements similar to what are required for other hotels. However, we have limited the scope to address minimum safety requirements and not the full scope of the commercial code, since these are typically smaller structures. And please keep in mind that according to the national fire protection agency, in 2023, 25% of all fires in the us were residential home structure fires. More than two or there were 2890 people passed away in 2023 from residential fires. Most of these people lived in the home and knew their surroundings. The users of str's are not familiar with the structure and may not know how to escape. In case of a fire. Therefore, these regulations are very important for the safety of those who come to visit our city. To summarize, we have consistently regulated the kind of life safety provisions for many years under the commercial code. The primary change is shifting the authority from state to local ordinance. In accordance with the state guidance. Short term rentals operate like small hotels and should have very similar safety requirements for the users. We recommend passing this ordinance in order to provide the minimum safety requirements. And with that, I will pass this over to fire marshal schimmel.

**Speaker:** Thank you. Good afternoon. Mayor. Commissioners, my name is Carrie Schimmel. Fire Marshal with Portland Fire and Rescue as a Fire Marshal. My primary concern is ensuring the safety of anyone who occupies these properties and the properties that neighbor the short term rentals, short term rentals. By their nature, are transient spaces with no permanent residents to oversee safety measures or respond to emergencies. Because of this, we cannot rely on an individual oversight

to guarantee the safety of the users. Hotels, which operate under a similar transient occupancy model are required to meet stringent safety requirements under the Oregon structural specialty code or the osc. These requirements ensure baseline fire and life safety standards in most cases, go beyond what is being proposed in the short term rentals. The proposed rules under title 24 strike a balance by establishing essential fire and life safety measures, such as emergency egress, fire separation and possibly residential sprinkler systems, which recognize that these are not full scale commercial hotel occupancies or operations. Excuse me if we were applying the entire osc to these properties, the requirements would be far more extensive. However, the baseline standards proposed here are critical for ensuring the safety of occupancy and allowing these properties with basic safety expectations. Ultimately, this ordinance brings short term rentals into compliance with the tailored approach that reflects their unique use while protecting lives and property in Portland neighborhoods. Thank you. Thank you, fire marshal.

**Speaker:** Mayor, that concludes our staff presentation.

**Speaker:** Could I ask two quick questions just to make sure we you continually reference operates like small hotels. Correct. Can you be more specific.

**Speaker:** So hotel they typically have somebody there full time working you know a reception desk or something. These are like a typical airbnb where you have your message, how to get into the house. There's nobody there to welcome you. So you're just going in, letting yourself in and using the house for whatever time period and then leaving and then could you restate, please, for my benefit, that this impacts a small subset or I shouldn't say small, but a subset of short term rentals could could you define again what subset this impacts and maybe clarify what subset is not included in this ordinance. So, you know, when we look at str, those different people call them different things. But sometimes they're in a home that is

hosted by the owner. And some of these are totally separate. They're a commercial operation that they're purchased for the use of, you know, renting these to people. The subsection that we're looking at is this commercial use, like a hotel where nobody is living there, nobody lives in the house permanently. And that's the major difference that we're looking at.

**Speaker:** Okay. So we're not seeking through this particular ordinance to regulate somebody who has an adu in their backyard or a room in their home.

**Speaker:** Correct. So that would be an accessory, short term rental, where we're just looking at the short term rentals that are not accessory to a dwelling to a home.

**Speaker:** Can you give us some sense in your you're out there beating the pavement, how many units or how large a market is this of these large conglomerates of units that are being operated, as you say, like a hotel, but not under the same regulatory framework?

**Speaker:** I don't know that we have the exact number, but I mean, I would guess 2 to 300. There may be more than that. So I'm just guessing. Do you have any idea?

**Speaker:** Yeah, we can get that information. Mayor.

**Speaker:** Thank you.

**Speaker:** Yeah, we could provide that.

**Speaker:** Great. Those are my clarifying questions for right now. I got a couple of quick, quick ones.

**Speaker:** I'm not an expert in this space. Just read the code and have had some or read the proposed ordinance. And have had a couple of conversations with staff. And I think I'm understanding what's happening here, but I'm not quite sure. So what changes? Let's say I operate an airbnb in a commercial district and council

passes this on an emergency ordinance today. For me, as an airbnb operator, how's my life different? By virtue of what could potentially happen today, you guys please.

**Speaker:** Yeah. So, you know, the short term rentals that you would come in to get your permit and we would do a review on that, and we would look at the safety requirements. There are other components that we look at as well as far as transportation, water. But from the life safety perspective, we look at the property lines, how close they are to the property lines. A lot of the Portland older stock homes that are being converted to this use are within the property separation distances, so they're close together, like, you know, a lot of downtown areas are there are a lot of older stock homes. So we look at the fire ratings on the exterior of the walls and if they meet or if they don't meet certain requirements, then we could require fire sprinklers in there. We typically only require a residential system, which is a 13 d system, which is a much lower standard than what a full hotel or commercial building like we have here. They're just a water supply. They supply water for ten minutes so people can get out of the home safely.

**Speaker:** Okay. And so currently we don't go through that process or do we do go through that process right now?

**Speaker:** It's been pulled out through that letter that was referenced in here that pulled out our ability to regulate these. So that's why we're here today in an emergency.

**Speaker:** So the state says you have to come up with a different basis for regulating this space. And that's what we're happening here. Great. I know we got lots of testimony coming up. One other just quick question. Why is this an emergency?

**Speaker:** Well, there's a couple great questions. Commissioner downey for the record, oliver, for the record, first and foremost, we've been sort of out of

compliance with our own code. We're trying to get this on the books as quickly as possible. The longer we wait, the longer we delay. It's not as if we would come back in January, frankly, with the new council onboarding. But also we're we're sort of out of compliance, like the effective date of January 1st is our target date. So we can as quickly as possible, be appropriately in compliance with our own code.

**Speaker:** Okay. Thanks.

**Speaker:** All right. Very good. Any further questions right now? If not, we will go right to public testimony. How many folks do we have signed up? 16. 16. All right. Two minutes each. Name for the record, the first three people are hayden laverty, trevor stout and shanna corona. And could we end? Thank you. Could you read my mind? Welcome. Thanks for being here. Hi. Thank you. Hayden, I'm hayden laverty, mayor Wheeler, council members, thank you for being here today.

**Speaker:** Sorry that we're taking up so much time towards the end of your term. I had something prepared, but I think I'm going to do a little pivot if that's okay. And if I could either I want to answer some of the questions that you asked, matt. And then if you guys have any other questions that you want to pose towards me, is it okay if I use my time for that? Sure, sure. Okay. So you asked how many of these rentals there are. There's a public registry of all the ones that are legally registered on that registry. Of the units that are permitted in this manner, me and my group, we represent 95% of those units. So I'm just going to be transparent. So this policy impacts virtually us and only us. Eight years ago when you guys worked hard to put together our extremely strict and comprehensive short term rental ordinance, which I support because we have a housing crisis in the city. I was doing short term rentals at that time. I went into bp and it wasn't that at the time. And I said, hey, is there a way for me to do this legally? And this is what I was told. I feel like there's some misrepresentations that these have been required to be sprinkled all the

time. I can give you guys plenty of examples of properties that are on the registry that were not required to be sprinklered, and I would also say that I have spoken at length with alana cox, who's the administrator of the state building code. It's the reason she provided the letter was not because Portland's been doing this right the whole time. It's because they've been doing it wrong the whole time or trying to attempt us to sprinkle certain properties that they shouldn't have. That's why she provided the letter, and she thinks that this is overkill, and it's not done anywhere else in the state. So that's our premise of this. There's also a factor of any property that's over two units is already required to be sprinklered. There are plenty of them that we have sprinklered they're on the registry. We can also give examples of those. We are a business that's been trying to comply. There's a lot of sleepless nights for me. I have a three month old son and all my employees here that I'm trying to support, and this is going to dramatically impact our business. The fact that this is being introduced as an emergency ordinance with no data, which we have repeatedly requested from pad, we tried to work in a partnership with them to offer fire extinguishers or other safety ordinances that aren't as expensive as sprinklers. So I guess that's my time that I have.

**Speaker:** Could I ask you a couple of questions? And thank you for being here, and thanks for sharing your experience. Could you give us a sense of like, how many units do you have?

**Speaker:** We're managing or own and operate somewhere in the realm of 200 units and a handful of those have been new construction. So that wasn't existing housing. A lot of them were dilapidated buildings or unusable buildings. As you can see, there's nobody here from the community to testify against this that are like residents of the city. And obviously our buildings interact with a lot of different people. We own other small businesses in the city. I owned a furniture store. We're

trying to build this city up. I'm not somebody who's dipping out on this city. I believe believe in this city. And we partner with other local businesses for a variety of different things. Everyone here is from the hotel lobby, and that has nothing to do with safety. And this is a safety ordinance, and that's just completely unfair. They're here to tell you that their business downtown is suffering, and I empathize with that. As a business owner, that's hard, but that's not what we're here to talk about. A single family house is not the same as a 100 unit hotel. And like I said, the bigger buildings that we own, they are sprinklered. We do that too. These permits take 3 to 4 years to get even for a single family house like it's just I've been put through the wringer on this for five years for trying to do it the right way. And it's frankly hurtful.

**Speaker:** And thank you. Well, first of all, thanks. I mean, you're sort of at the cutting edge of a developing, innovative industry and so you're probably going to hit a lot of the rocks as you go down this path. Being the first amongst the first to go down this path and I understand that. I appreciate it and I respect it. But but let me ask you this. So I'm anticipating some testimony today, as you say, from smaller hotel operators who will say, wait a minute, this is no longer the airbnb of ten years ago where somebody says, I've got an adu or I've got an extra bedroom, I need to help make the rent. So I'm going to rent it out and I'm here. I can see it, I can watch it, I can police it, if I may be so bold. Now, what we have is absentee owners who are buying lots and lots and lots of units. And but for the fact that they look like homes or they're single family units, they are in fact being operated like a commercial hotel enterprise, but without the regulation. How do you respond to that?

**Speaker:** So for one, there is regulation. We are still required to obtain a permit, and we're still required to be on the registry independent of what you guys decide today that that's true. We have to go through a review. We have to get a permit to

do this. And we have to be in a commercial zone that allows it, which is very, very limited in scope. So we're operating maybe 70 properties out of 160,000 single family homes in the city of Portland. It's an entirely different thing. And then what we're going to talk about here, the amount of properties that would actually have the sprinkler requirement are like ten. That we're talking about that aren't fully permitted. Ten properties, like ten single family houses that they're talking about, these are like 200 zero square foot or 1200 or 1200 square foot duplexes. If this is a safety issue, this is it's not, then then why are we allowing 600 or 800 people that we're giving these type a and type b permits to when the city has admittedly not enforced the nightly limit? That says that people have to live there for 270 days. Oh, and by the way, when they say there's somebody there to greet you, that's not the rule. Nobody has to be there to greet you. You can rent your house for 90 days. You don't have to be there. So how is the safety for the 90 days? It's safe for 90 days. But as soon as it hits 91 and I want to operate in a commercial zone where I'm allowed to, then it's unsafe. So at least if council is going to consider enforcing this, it should be enforced universally across all airbnb properties, which then you're going to get a lot of testimony in here from all the people that have the permits. They're not going to like that either. So I don't understand how it's a safety issue for my properties, which are the equivalent of the properties that we're giving type a and type b permits for. And they cannot be present. They cannot be on site. Some of them are adu sure, but most of them aren't. Like I can tell you that from experience, I know who my competition is. So the city has done a great job of cracking down. Like I said, we support the short term rental ordinance and if you're going to have rules, we should enforce them. I've done my best to follow the rules from the beginning. I don't want to be punitively targeted through the guise of safety. That's that's just completely unfair.

**Speaker:** Thank you. Thank you for the dialog. And I appreciate your being here very much. Thank you.

**Speaker:** Thank you, mayor Wheeler. You bet I won't grill everybody.

**Speaker:** I just know your testimony was really interesting, and I appreciate it. Thank you. Thank you for being here.

**Speaker:** Yeah. My name is trevor stout.

**Speaker:** I work with hayden and shannon. I want to talk more on the impact on the community. It was stated by patty that there are no anticipated community impacts. If this gets passed. And I think that's not true at all, in fact, that we've reached out on multiple occasions to express that in the process. Getting to this point, my dad was a drug addict growing up, and that severely affected my academics in high school. So I didn't go to college. I didn't really have a real pathway to success. When I met hayden, I was 19 years old and he saw potential in me that others didn't. I started working with him and the opportunities I've had because of this have not only transformed my life, but also has positively impacted the lives of many other people around me, including shanna, right here behind me are a few of my close colleagues who play a crucial role in our day to day operation of our business. They're responsible for over 40 employees, all of whom face the threat of pay cuts or layoffs. If this legislation is passed, here are a few highlights on how we've been able to help the community. We provided jobs with living wages and flexible hours to dozens of people, including our entire management team, most of whom are here today. We included a implemented a pay gap education program for all of our employees who were not able to graduate high school. We offer free oil changes and car maintenance benefits to all of our employees. We've helped reshape the financial health of several employees lives and supported them in developing pathways to become debt free. We've assisted in housing several

employees, primarily through properties that we either own or manage. We've helped purchase and gift several vehicles to employees who didn't have ways of transportation. We've created job opportunities for convicted felons who have since worked their way up to high level management positions. We've hosted multiple free goods events to provide essential items to homeless individuals in our community and our in partnership with cultivate initiatives, and have donated several hundred pounds of towels and linens to them and continue to grow that partnership. We've built countless partnerships with local small businesses to support and nurture the thriving Portland community, including purchasing a furniture store and the partnerships that come along with that. These are just a few examples of the positive impacts we've been able to make in the community, thanks to the growth of our small business. If this legislation passes, not only will these impacts be at risk, but also the employment of dozens of employees, many of whom many of whom are part of the latino community.

**Speaker:** Thank you. I appreciate it. Thank you. Two minutes goes quickly. Sorry. Sorry about that. Hi. Good afternoon.

**Speaker:** Hi, I'm shannon corona.

**Speaker:** I've been working with hayden lavery for almost four years now. I can honestly say that our company is deeply committed to serving Portland's vibrant community through our work and short term rental properties. I'm here today to express my concerns about the impact of title 24 on not just our business, but also the community we proudly contribute to. I'm 45, and in my 45 years, I've never experienced a more loving and supportive work environment than I have working with hayden. Excuse me if I get emotional. This company is not just a workplace, it's a family. There's people behind me. It's a place to collaborative collaboration and care that drives everything that we do. It's a culture that has been inspired. That's

even inspired some of our team members to move to Portland, drawn by the opportunity to be part of something meaningful and connected to the city. Our work goes beyond our properties. We partner with local businesses, landscapers, repair services help small businesses grow. There and create job opportunities for the Portland community. We pride. We have pride in what we do. We ensure that our spaces remain clean, safe and welcoming. We understand that this does not just support our company, but also supports Portland's local economy. Visitors that stay in our rentals eat in local restaurants, shop in neighborhood stores, and feel the economic activity in ways that benefit us all. The increase in regulations in title 24 could create significant financial and logistical burdens. If businesses businesses like ours struggle to comply, the ripple effect could be devastating. A large number of employees that depend on our company and others like ours to support their families will lose their jobs. Small businesses we collaborate with will also feel the effect. While our while we wholeheartedly support the spirit of title 24 and prioritizing public public safety and structural integrity, we ask that small businesses like ours be treated fairly. My team and I are passionate about contributing to Portland's growth and success with your support, we hope to continue serving this city in ways that align with its vision and values. Thank you for your time. Thank you.

**Speaker:** Next up we have bianca leilani nunez, marin, kimberly soto, and jonathan cohen. Thank you.

**Speaker:** Thank you. Welcome.

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

**Speaker:** Thank you guys for having us. I guess i'll go first.

**Speaker:** Go ahead.

**Speaker:** Good afternoon. Members of the City Council. My name is bianca marin. I stand before you guys as a concerned coworker, sister and friend who has been working for hayden laverty for three and a half years now. While I understand the intentions behind title 24 and recognize the challenges it seeks to address, I believe this proposal introduces more problems than solutions for our community. One of the reasons why I'm so passionate about this issue is because of the opportunities I have been given by my employer, hayden. I have received a second chance to flip my life around because of him. Hayden has provided a ged program for all of his employees who didn't finish school, but knew they wanted to. I have been able to attend that and successfully pass my test as well, because I had somebody who believed in me and believes in us. Actually, when I just turned 23 years old, I was granted custody for my two younger brothers who are 11 and 16 years old. This has been a life changing event for us, and I would have not been able to accept such a huge responsibility without the support of my work, family. I worry that the impact of title 24 will cause all the other hard working single parents that hayden employees were aware of the insane rent increases that have been happening. But thankfully for my boys and i, hayden has personally helped us with housing opportunities, and he's also extended a similar support to other families who work for him, demonstrating how a small local business can contribute to the housing stability in ways that are thoughtful and impactful. Families are at the heart of our workforce. Employees have brought their own family members to join the team because they trust that we will treat them as our own, and not just another employee. Title 24 risks disrupting this warm, welcome environment by imposing financial and operational strains that could hinder our ability to support our family and our employees, and their families. Our focus is on providing visitors with an experience with an amazing experience. When they arrive to Portland, we ensure

they have a beautiful, well maintained home and additionally, we proudly recommend small businesses. Who our guests contribute directly to our local economy. Economy title 24 won't just impact our business, it harms other small businesses here in the community. And our goal is just to ensure Portland thrives not just for corporations, but for all of us who call this city our our home. Thank you for your time.

**Speaker:** Thank you and congratulations. Thank you. Well done. Thank you.

**Speaker:** Good afternoon, City Council members. My name is kimberly. I have a couple comments and maybe concerns that you guys have. To start off. I was hearing a lot of back and forth in regards to how this is a new item. This is something that the wording is just changing. But like mr. Mapps here, a lot of my concern is the time frame. They claim that, you know, it seems like a quick turnover. They're trying to do this. That's why they called it an emergency. But if you guys heard hayden laverty, he said it takes 2 to 3 years for a permit. But this is an emergency meeting right. This is supposed to be a quick turnaround. That's just my only concern and comment with that. But like most people here, I am a first generation individual. I came to Portland three years ago looking for a new beginning, a new experience, and I found that working with hayden and friends, I have learned so much from just being around people like hayden who strived to not only create a good experience for others, but also create a safe space. It is so important for people like me who desire to be, you know, one day I desire to have my own family, one day I desire to support my family, my parents who came here with literally nothing. And this title, all it makes is just it just a little bit more difficult for us to do that. Title 24 also impacts a lot of our members here. Our coworkers, like we said, we are mostly family. There are brothers, sisters, cousins, parents, single parents who are working with us and who are trying to only have an

American dream. And Portland is one of the biggest cities who support people of different races, cultures, sexual orientations. And we're trying to provide this by making sure that we're supported and creating safe spaces. And I think that our job speaks for itself. We're creating spaces that not only help local businesses, but we're also making sure that we're talking to neighbors, which is something that a lot of hotel managements don't do. Thank you.

**Speaker:** Hi, City Council members. My name is Jonathan Cohen, and I'm the developer and co-owner of the Society Hotels, located in Old Town here in Portland and Bingen, Washington.

**Speaker:** But before that, I spent almost 20 years running a solar installation company that I founded in 2003 here in Portland. Over that time, a lot changed in the solar industry. Its adoption, its technology, and that all required code updates. I personally worked with the head structural reviewer at the City of Portland to prove out attachment methods for installing solar on metal roofs. Later, I co-wrote portions of the Oregon Specialty Solar Code, specifically around roof pathways to provide access for firefighters in the event of a structure fire. When developing the Society Hotel, we spent over 25% of our budget modernizing the building to bring it up to seismic and fire and life safety standards. Some of these improvements were done optionally, but it always makes good sense to improve old buildings the best you can when you have the chance. Codes exist for a reason. Something went wrong. Many times and people died or got hurt before it got enshrined into code. And lodging has a higher risk than long-term residential occupancy as mentioned before, people are less familiar with the space that they're in and not always able to escape. As such, we must protect these people and their neighbors as well from fire risk. If short-term occupancy is allowed in a structure, it should follow the same safety standards that any other building type that provides lodging. When we find

gaps in our policies, just as I helped the city in the past with solar codes, we need to fix them. The occupants and surrounding building owners should not be at risk just because some developers found a loophole. Please close this loophole and improve safety in all lodging type facilities. As this code changes, I plan to do. I'm done with my testimony, but I want to make two other points. In some of the testimony I heard. I heard a lot of people mentioning how this was going to destroy their business, and they didn't understand that, because I also heard that this was only going to impact ten out of their 200 units that didn't make sense to me. The other thing that I heard was that you other folks agreed with enforcing the rules, but it sounded like not if it impacted them. And the final thing I heard that I just wanted to point out that I thought was erroneous was that I heard the permit would take 3 to 4 years, which is not correct. I've processed thousands of permits through the city of Portland. This permit would take months, not years. All right.

**Speaker:** Thank you. Thank you folks, please try to keep it as close to two minutes as possible.

**Speaker:** Next up we have jesse burke, gabe krebs, and paul pitino. Welcome.

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

**Speaker:** Go ahead. Jesse.

**Speaker:** Hi. My name is jesse burke, and I'm one of the owners of the society hotel in old town and in bingen, Washington. And I chair the old town community association. I've worked closely with all of you over the years, and I've appreciated your partnership. I'm here today to request that you amend title 24 to help provide policy parity between all hospitality operators in Portland hotels are required by law to meet strict fire and life safety codes. Codes that include seismic upgrades, fire sprinklers, smoke detectors, clear exit routes, and emergency lighting. These measures are in place to protect the lives of the guests in the event of an

emergency. Unfortunately, airbnb properties are not held uniformly to these same standards, even though they do the same work as hotels. Many short term rentals do not undergo the same inspections or require the same safety features as hotels, leaving guests vulnerable. And I agree with hayden. Let's enforce all of our rules and consistently. I started my hospitality journey as an airbnb host in my basement, and when I saw a gap in the market, we pursued a commercial building and opened a small hotel. And we were the first hotel listed on airbnb called pro host. However, I told mayor Wheeler once that had I known this is how our policy would play out, then I was a fool for restoring a historic building seismically, upgrading it, installing sprinklers, and meeting all the code requirements to open a hotel when I could have just purchased an apartment building and run an airbnb out of it with all the revenue and none of the fire life safety costs or requirements. What's more, while I appreciate a healthy workplace, and I think a lot of us pride ourselves on that, the hospitality is notoriously a low barrier industry, and your story is all of our employee story. A good employer doesn't ask their employees to testify for their businesses survival. It is no employees problem that a policy might impact your business. An employee's job is to show up and do good work and the employer's job is to make sure the business is compliant and can provide what is needed to your employees. Thank you for your time and considering these safety updates, I look forward to seeing the positive steps we can take together to make our city safer for everyone. Thank you.

**Speaker:** Welcome.

**Speaker:** All right. Hi council, thank you for listening to all of our perspectives today. Some advice that floats around is not to make mix friends and business. Since I've graduated college, I've done the exact opposite. I've only worked on projects with people I know, love and trust. My friends and families are my partners

who have built local businesses with including renovating, often dilapidated properties in the city that we all grew up in and call home. By enacting this change, you are supporting larger corporations to come in and tear down these homes and develop hotels and commercial in the commercial zones that we're talking about today, sprinklers absolutely make sense at the hilton, as it does in any commercially sized residential building. The argument that short term guests are unfamiliar with a single family home is a far stretch. When I leave town and my younger sister's friends house it for me, I have some concerns, but then remembering where the one entrance they walked into the home in the face of a fire emergency is not one of them. All the data that we have collected from insurance companies show that fires occur less in strs than long term rentals, because people are cooking less. I would like you to please look at the people who are supporting this. They are hotel owners and multi-millionaires. The city of Portland is widely recognized for its innovative approaches to city planning and urban design. The inconsistencies in the logic that why the city would allow short term guests for 90 days in a residentially zoned structure, but has taken the stance that the same home in a commercial zone is suddenly a fire risk does not track. I want to be clear that we do support regulations and strs. We are progressive in every sense of the word and while arguably well-intended, this ordinance does not fix any of the problems it seeks to. I'm happy to hear that council is planning to update regulation regulations next year, and if given the opportunity, we have many ideas on how the city can continue to innovate not just around safety but also the community effects that short term rentals have. Thank you.

**Speaker:** Was there a third person online? Paul.

**Speaker:** Paul patino hello, council, thank you for allowing me to participate today on behalf of our ownership.

**Speaker:** I'll just keep it short and concise. They are in agreeance with this passing of 24. They just want to see more strict and fair guidelines across all platforms of hospitality and lodging, whether it's small or large industries. Personally, you know, I'm new to the market, but I would say, you know, just from hearing all the testimony you know, the cities full of collaboration and, you know, if this is something that is on a short term window, you know, just to really think about it and really get the data in front of us before we pull the trigger on anything, but again, in full agreeance with what safety measures across the board. Thank you.

**Speaker:** Thank you.

**Speaker:** Next up we have mari cruz diaz, alice engelstad and conor laverty.

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

**Speaker:** Okay, i'll go first. Thank you. Good afternoon everybody. My name is maricruz diaz. I work with hayden laverty and sorry. A few years ago, I was struggling to get by and my cousin shanna called me and told me about a job opportunity. Working with hayden. She told me about all these good things working with him, which I thought were kind of good. Too good to be true. But I went in and I was shown it was it was all. It was all good. I was a single mom of six. I was on food stamps, I had no car, and I was using the bus as transportation. Now with hayden's help and the work family, I was able to pay off my tickets, get my license back and get a car which he provided for me, and five out of my six kids work with hayden. Title 24 could jeopardize all of this. With the increased restrictions and costs could force small businesses like hayden's to cut back or even shut down, and it would be crucial for me and my kids. I'm here today to urge you to see the people behind the policies. Hayden's business has not only provided for my family, but has allowed me to break the cycle of poverty and teach my children the value of hard work and community. These regulations could take that away, not just for me, but for so

many others who depend on companies like this to survive. Please consider the human impact on the of these changes. For people like me, this isn't just a business. It's hope, opportunity and future. Thank you.

**Speaker:** Thank you.

**Speaker:** Hi. Thank you for having me. City Council members. This will be my seventh year collectively working with hayden and friends. I'm a lifelong Portlander and the proud daughter of an alaskan native. I don't know if you all remember, but the iconic orange tarlo furniture building was always my landmark as a child that let me know I was almost on our way home from our beach trip. I've witnessed firsthand the growth and transformation of our city. Portland has always been a place of opportunity, a destination. A place where people wanted to raise their families and thrive. The city that points the way for other cities. However, with the proposed changes, I have concerns about these new policies that will inadvertently harm the very fabric of what makes our city special and our business of maintaining single family rentals. We focus on providing beautifully appointed homes with five star service that offers comfort, safety and a warm welcome to visitors from our friendly staff. We aim to contribute positively to the community by partnering with local nonprofits, as was mentioned earlier, and distributing essential goods that we have in surplus to those in need in our city. This includes everything from blankets and toiletries to bedding, and, to date, more than 600 pounds of towels to people who are using mobile showers in our city. In short, our little company has been an agent of kindness during these times of great distress. However, the proposed policy changes will not only impact our ability to reasonably continue this work, but also the livelihoods of our employees. This is just the facts. No one twisted my arm to come up here and talk today. While Portland strives to be a progressive, forward thinking city, I fear about these changes. Having unintended negative consequences

for family businesses like ours, making it harder for us to serve the community and maintain the welcoming atmosphere that draws people to Portland in the first place. I urge you, as city officials, to consider this full impact. We are asking you to work with us so that together we can find solutions that foster growth while protecting the heart of what makes Portland a place to love and come home.

**Speaker:** Thank you. And perfectly timed.

**Speaker:** Thanks. Welcome.

**Speaker:** Thanks for having me. Mayor and city commissioners. My name is Conor Laverty. For the record, I come before you today to appeal for the application of common sense. Common sense. Sense and examining data, recognizing the truth and seeing people as individuals. I was born and raised in Portland. My fiancée and I met in high school. We've made northeast Portland our home. I coach football in the central east side high school football. I love this city. I am not one of those that has appeared in written testimony, you know, representing and branding Portland as decimated, run down or a dump along with my colleagues and my family, I proudly represent Portland for all that it stands for. That's why it's so disheartening to see this ordinance proposed with a claim that has zero economic impact, yet every single person here today, whether in favor or against, has mentioned the economic impact. So I ask, what is the real reason for introducing this ordinance? We're allegedly here to discuss life safety. However, our research identified over a dozen hotels just in the last two days that we've had to prepare for this. Over a dozen hotels with 30 or more units that are not required to retroactively install sprinklers. Let's talk about the data, because life safety decisions should be grounded entirely in it. According to the most recent annual performance report by the Portland fire and rescue, there were three severe civilian fire related deaths. None of those were associated with short term rentals, and they certainly were not

short term rentals in commercial zones. So what is the basis for the claim that this is an emergency order ordinance? I urge you to consider the written testimony by a firefighter and take their perspective, as well as an owner of a fire sprinkler installation company. If this ordinance is truly about life safety, why are a handful of one and two family dwellings being targeted while larger, high risk buildings remain exempt? As my colleagues pointed out earlier, short term rentals in 1 or 2 families dwellings statistically have 50% less fires than permanent residences. So do with that what you want. But once again, I urge you to apply common sense. This ordinance will not stop short term rentals. It is not driven by data. It will not meaningfully impact the supply and demand for hotels. As these those here are testifying for a life safety matter claim. Instead, it unfairly targets small businesses that have done nothing but follow the rules. Thank you. Thank you.

**Speaker:** Next up we have Jordan Egbert, Bob Schatz, Mark Gaiman. Why don't you go ahead and start?

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

**Speaker:** My name is Jordan Egbert. I'm a proud, lifelong Oregon resident. I grew up in Eugene, moved to Portland about ten years ago. I started working in the short term rental industry about six years ago, and I focused on collaborating with the city to try to do it in a fair, legal and transparent way. I've personally seen multiple permits go through the city for this exact situation, which many of them actually did not require permits to go through a commercial permitting process until about three 2 to 3 years ago. This permit process extended from being a 3 to 4 month process to now, as Hayden mentioned, up to three years. I would say most of them take nine months to a year in order to get a permit for a single family house to become in a commercial residence, to become a short term rental. I want to be really clear what we're discussing. We're not talking about big buildings as they

talked about with the society hotel and be needing this safety. We're talking about single family and duplex properties in a commercially zoned and regulated area. They still have to go through all commercial zoning from a zoning and planning perspective, and will still require all the same requirements of a hotel from that standpoint, this is just a single family home. It cannot be a house that is in a regular neighborhood. It cannot be a house that is in a big building that is anywhere else. If anything, bigger than two units will require to go through the commercial code. This is just single family and duplex as paddy did not explain whatsoever. This ac permit that you get separately does not have any of these requirements and as hayden mentioned, has 90 days that you can operate with no one there with no difference whatsoever. But it is only required for people who are now going for these single family and duplex homes. This proposal gives the impression that those who intend to operate from a transparent and honest way are being punished for doing so, and this change honestly seems like a frivolous waste of the city's time and resources. And yet another burden to its citizens. Thank you.

**Speaker:** Hello, my name is bob schatz. I'm an architect. I've been getting building permits in the city since 1990, and this proposal is mandating that houses use the commercial code when permitting a house for short term rentals. Chapter one, page one of the commercial code states that detached one and two family dwellings and townhomes that not more than three stories above grade and height, with a separate means of egress and accessory structures, shall comply with the residential code. So, for complying with the commercial code, they're telling us to use the residential code, which is what we're doing already. So I'm proposing that we keep doing what we're doing. And this proposal specifically affects existing homes in Portland in a commercial zone. The best new use of these homes is a vacation rental. The reason is because a vacation rental, it's the same use. So it's a

residence. So you just use it. And the reason why we don't need to have new codes is because homes are small. We don't have big egress. We don't have fire exits. We don't have all these things that commercial buildings have. There's typically less than ten occupants in a home, in a vacation rental. Everyone there knows each other. It's not like a hotel where you have 40 or 50 different people. No one knows anyone. This is why the residential code is the appropriate code for houses in commercial zones.

**Speaker:** And without that you have 30s.

**Speaker:** If you want.

**Speaker:** I've done a lot of I've done a lot of conversions of homes in residential zones in my career, and it's always extremely difficult and if you make it more difficult, it's just going to force the owners of those properties to tear down the homes and build something different. Thank you.

**Speaker:** Mark.

**Speaker:** Mark. You're muted.

**Speaker:** How's that?

**Speaker:** Yep. Loud and clear.

**Speaker:** I just want to make a couple brief comments. My name is mark goldman. I'm general manager at the mark spencer hotel on 11th and harvey milk. And we too, like a lot of people have talked about, provide jobs, including jobs at the, you know, entry level. I grew up in st. Johns, went to roosevelt high school, started in the hotel business. 1977, and I'm now 62. And on my last run here. But I would also like to say that in terms of someone mentioned that, you know, the hotel owners are multi-millionaires and such, the capital outlay and the just the amount of money that they have put into hotels, including the society hotel that has spoken here, has, has provided an infrastructure for our travel and tourism industry. We're focusing a

lot on bringing international travelers in, and if we didn't have some of the infrastructure that's been built up over a period of time and investments by our owners, then it wouldn't it wouldn't have to be the same attraction. So I'm just asking for your support to vote yes on this ordinance. Our owners are requesting that as well. And I'll cut my comments because it's late in the evening. But I appreciate all your time. Thank you.

**Speaker:** Thank you.

**Speaker:** Next up we have mackenzie marino.

**Speaker:** Evening, mayor and City Council members. My name is mackenzie marino, and I am here today representing the Oregon restaurant and lodging association on behalf of our members, which include a wide range of over 2400 lodging establishments throughout Portland and Oregon. I'm here to express our strong support for the proposed ordinance to amend title 24 and formalize the regulation of transient lodging. This ordinance is a crucial step in ensuring the continued safety, fairness and consistency within the hospitality industry in Portland. Short term rentals and other lodging should be held accountable to the same standards as hotels have worked, so hard and dedicated themselves to upholding. As an association representing both small and large lodging businesses, we understand the importance of maintaining the highest standards of fire and life safety for all transient lodging establishments, including short term rentals. These safety measures are fundamental not only for protecting guests, but also for supporting the long term sustainability of Portland's tourism and hospitality sector by aligning short term and vacation rentals with the same safety requirements as traditional hotels, the ordinance ensures a level playing field for all lodging providers, which is essential to both our industry and our community. The rise of the short term rentals and other nontraditional lodging options have created an

evolving landscape for our industry. It is essential these properties are subject to the same safety regulations, hotels and other commercial lodging businesses must follow. This ordinance accomplishes that by ensuring all transient lodging, whether new or repurposed, complies with the necessary construction and safety standards. By doing so, Portland is safeguarding public health and ensuring all types of lodging meet the rigorous criteria for fire prevention. Structural safety, and guest well-being. Additionally, we appreciate this ordinance does not impose financial or staffing burdens on the city. While providing critical updates to the local building code. In conclusion, we urge the City Council to adopt this ordinance. It is an essential step to ensure that all lodging providers in Portland from traditional hotels to short term rentals, continue to meet the necessary safety requirements. Thank you for your time.

**Speaker:** Thank you.

**Speaker:** That completes testimony.

**Speaker:** All right. Very good. I assume we might have some questions. Why don't we have staff come back up, please? And I'll just start with the general question. Anything there you want to respond to, donny? Yeah.

**Speaker:** Thank you. Mayor, commissioner. Commissioners. Donny Oliveras, for the record, commissioner Rubio. Mayor. We've had conversations about the city's effectiveness, or lack thereof, of enforcing the regulations earlier in my comments. I want to be really explicit. There's a lot of comments about our ability to enforce our codes uniformly and consistently, and that's accurate. We haven't done a great job. We're here today because this code was ready to go. There's going to be a host of other changes, both in our programming, our ability with staff, staff capacity and frankly, we have a lot of work to do to ensure that we're effectively managing stress and stress across the city. It would have been it's, you know, not realistic to wait for

all that to be done together. So we're here today with this particular code because it's ready to go. But yes, we have a significant lift to get up to speed on all of our implementation related to stress and stress.

**Speaker:** I have a couple more questions. Thank you for that, donny. So based on your comments earlier, you said there are some new regulations potentially and some new enforcement strategies that are being considered, but that's not part of this ordinance. Is that correct? Correct.

**Speaker:** We this council updated title 33 earlier this year, and that's about our ability and efficiency of addressing misinformation and advertising. When somebody hosts that they're, you know, misinformation on the on the portals or consumer protection, consumer protection. So we're already since October 1st implementing that. We're going to be more effective as staff gets their feet under them on how to do that. For example, I alluded to working with airbnb. We have a code in 6.04 related to the revenue division, and we need better data sharing with airbnb as a as a partner that is not a code update, mayor, but that is actually a partnership and more technology solution based. That would allow us to enforce and again hold these users compliant more effectively, something we haven't done a great job of because of poor information sharing. And then the last one, and probably the more substantial piece is once a bureau planning sustainability comes back with their calibration study, it will likely come with recommendations for a host of pathways on how we might more effectively manage short term rentals and asters in the city. That'll be next council's decision to make. But it could be something about, you know, just updating based on the new models of use. Or, you know, there could be a recommendation that something as extreme as what new york city did to largely not.

**Speaker:** But that's not what this ordinance.

**Speaker:** But that is not today.

**Speaker:** That is a future process. Presumably it would involve the project, would involve the folks in this room if they wish to. So be involved.

**Speaker:** Correct. So having said all that, that is still a work in progress. But today in front of you today is a code package that is clearly defined by p and d and our partners at the fire bureau about something we can do to manage title 24 more effectively.

**Speaker:** Okay. So explain one more thing to me and then i'll turn it over to commissioner Gonzalez, who has his hand raised as well. I'm still trying to understand exactly how we got here. My understanding is ppd had tried to enforce some standardization in our life safety regulations. Something happened, and then the state issued guidance that requires us to act. Could you elaborate on that a little more? So I understand magic happened because he had the details more specifically, please.

**Speaker:** Sure. So we we've had the building code, you know, for 40, 50 years now in Oregon. And in 2023, they added some language in the residential code that said, you cannot regulate the short term rentals. And there was some other types that we could not regulate through the building code, but we're allowed to do that through local ordinance. And when they when they did that, that kind of pulled away. Our authority to regulate those. But speaking with alana cox at the state, you know, she said, you know, you're not doing it wrong, but it's just our d.o.j. Has said that this is not in the purview of the building code, and you need to do this locally, okay?

**Speaker:** So that that required us if we wanted standardization around life safety, to pass an ordinance like this is that correct?

**Speaker:** Yes, that is correct. Okay. And that's again, we're just filling that gap that was left open by the building codes division.

**Speaker:** Thank you. Commissioner Gonzales.

**Speaker:** Well, just building off of that, I'm looking at section one three of the ordinance. And so we're referencing the October 23rd clarification that moved short term rentals, vacation rentals and similar uses outside the statutory of O.R.C. So that's your residential specialty code. So they're saying that we're no longer going to regulate it here at the state level. And then so walk me through how that gets us to sprinklers. Right. So I follow what they're doing here. So what's the what's the connection to why an operator's got to build you know, add add sprinklers in ten of their units.

**Speaker:** So you know, as we look at those building codes, we're looking at, you know, the fire separation distance. We're looking at multiple factors within that review. And if it doesn't meet those then one of the primary safety components that we do in a lot of construction and gets you out of other requirements is the fire sprinklers. Because fire sprinklers do save lives. You can carry, can elaborate on that. It is one of the primary safety factors that we rely on to give away. Other code requirements because it it fulfills that that safety requirement.

**Speaker:** And so just rehashing the conversation you just had with the mayor. So we're getting clarity from the state that you cannot impose these life safety measures through building code. We've got to do it locally through ordinance. Correct. Okay. And so then I look to the language here in 2431, and I'm still kind of wrestling with how just flowing how this all flows through. So we're defining a transient lodging facility. It means you're involved in transient lodging. And there's a certain type of building that that's going to apply to. Why is this only in the

commercial zone? How does that come up. Is that because of 24? 31 is only a I just want to make sure I'm following like the I can answer that one.

**Speaker:** Sure. Jody. Awesome. For the record. So the reason that it would end up in a commercial zone is actually a zoning code reason. Zoning code is the group that says where these short term rentals without a permanent resident can be. And right now that's the in a commercial zone. If the zoning code changed and a short term rental that was not an accessory, short term rental that did not have a permanent resident landed in a residential zone that would apply to those there as well. It's just that right now, the way that the zoning code is written, it's only allowing these short term rentals without a permanent resident in commercial zones. I see. I'm not a zoning person, so that's my impression of where the challenge is.

**Speaker:** I'm just looking at the language before us and I'm not actually seeing that nexus explicitly. But you're saying somewhere else. I'm just going to repeat back what you said. You you got to have, you know, the owner on site or other these other requirements in resident in an area that's zoned residential. You don't have to have meet those requirements in a commercially zoned property. That's why this only applies in that situation. Okay. It's not actually spelled out in the ordinance. You kind of have to. It's external to that. And donna, you had something to add there.

**Speaker:** Well, no, you just actually your last explanation just you know, concisely captured that. So thank you.

**Speaker:** And if the zoning code changed next year with the other council and these did end up spreading out further out throughout other zones, this ordinance would still apply to those as well. It's really written around the use of a short term rental without a permanent resident. Wherever that ends up occurring.

**Speaker:** Yeah. So that could be commercial zones or that. What are some other examples just to make sure of what that last piece you're referencing there?

**Speaker:** Well, I'm imagining the next council might do something different with the zoning code, especially if there's a bunch of acr regulations moving around. So I guess what I want to what I'm trying to say is that it's not a zoning code. It's a building code issue that is attached to short term rentals without a permanent resident. And it excludes accessory short term rentals. However, that continues to be regulated as long as those have that permanent residency requirement and right now, that's only in the commercial zone.

**Speaker:** But one day there is a scenario where council could consider opening that use in other zones. But as of today, that's we're only talking about the commercial zoning element.

**Speaker:** And you're saying by that you mean transient lodging facility. Yeah. And which excludes a esther's right. And an acr essentially means you have the someone's living on site. I mean, I know there's other pieces to it. I'm just trying to keep this clear. Okay? I think my questions are okay for right now. I just need to process this. Just the way the ordinance is laid out. And you know, just the financial impact to operators. You don't necessarily automatically get from reading the ordinance. And I'm just trying to trace that through i. So I'm okay for right now. Let me commissioner Mapps.

**Speaker:** I want to thank everyone who testified a couple of questions. Does this ordinance impact existing? You existing facilities or is it just apply to new ones?

**Speaker:** This is not retroactive. It would only be to.

**Speaker:** Okay, so if you work for if you work to support one of these existing buildings and this code changes your life ostensibly doesn't necessarily change. All right. Thank you. That's helpful. And again I think I heard conflicting assessments or

estimates of the number of units that we're talking about. I think I heard the number 200, and I think I heard the number ten.

**Speaker:** How do i, I think I might be able to clarify, I believe hayden said that they own or operate around 200 units of those 200 units, about ten of these would be affected, ten of his units. And he can correct me if I'm wrong, but is that I don't know how to deal with someone raising their hand?

**Speaker:** I'll leave that to the mayor.

**Speaker:** Hayden, does that sound right?

**Speaker:** I mean, there's other things I'd like to clarify as well.

**Speaker:** So I don't know what.

**Speaker:** I'll yield the seat. I mean, all right, why don't you come up and you know, we want to have a good, full dynamic discussion.

**Speaker:** So why don't you make. What did you hear the numbers that were mentioned? Yeah.

**Speaker:** Is it okay if I comment on something else? Really quick? Yes you may.

Okay. I'm not sure why city staffers and seem to be intentionally misleading you, so I would like the opportunity to be able to answer questions about the code as well.

I've been in contact with alana cox a lot as Portland residents. A lot of you have probably visited the coast or sun river or other places in Oregon and stayed in a short term rental. There is nowhere in the country that requires sprinklers for a house to be a short term rental. The 40 year experience director of the international code council, chris reeves, has provided opinion on this that says it's not required as well. I have provided that to them. It falls on deaf ears. So when we're talking about the number of units, yes, around 200 is how many operate. There are 100 units that are already on the registry. They're either sprinklered or not sprinklered. They were permitted. They're fully legitimate. There are a bunch

more that were trying to push through permitting right now, because this isn't going to be retroactive. And the reason that they're not permit already, they were already all drawn. They moved the target like two years ago and started requiring this, to which I didn't do it. And I have been fighting it ever since. The state finally came down and understood what was actually happening here, and wrote a letter and said, you guys can't do this. That's what they said. It's not required by building code. That's exactly what bob said. The icc, the people that write the building code are saying it's not required by the building code, and they the reason that they need you guys to make an ordinance is because somewhere, ideologically, they don't like what I'm doing. And this has nothing to do with safety. We've had airbnb's been open since 2007. I can't find any evidence of fire related death in all of Oregon like, and I've asked them for data and I get no data. I get this confusing hodgepodge of what they're giving you that I've been trying to learn myself, that I've been chasing down for five years. It's complete nonsense.

**Speaker:** Just so. So when you're talking about the impact of your business, you've got ten or so buildings that you are trying to get permitted. And you're saying the city of Portland is requiring these fire life safety requirements. That's when because I just want to get at commissioner Mapps question to staff. Correct.

**Speaker:** They were required. They were making they were having these requirements and I was arguing with them that they weren't the requirements. And so therefore the state got involved and the state told them these aren't the requirements. We've also been to the private board of appeals, which we have here in Portland for building code, and they've been overruled by them three times. I've done public records requests. The people that are on that private board have emailed them expressing private concern that they're enforcing this code

incorrectly, and they said they didn't think it was appropriate to bring up in the meeting. I mean, what are we doing?

**Speaker:** I'm just I'm just trying to narrow in just because this is what commissioner Mapps is getting at, what is retroactively being applied or not. And when you talk about the impact on ten units, I'm just trying to understand.

**Speaker:** So the ten units are the ones that I'm worried that I might not get in if they try and make this ordinance active by January 31st or whatever. I have architects and draftspeople have to draft this stuff up. So we've been arguing it for so long. We submitted a bunch of permits. They all stalled out because what happened is they weren't requiring sprinklers. Then they switched them requiring sprinklers. There's also like there's not very many, but there's like 3 or 4 other properties that were permitted a little longer ago after the short term rental ordinance was made. But in like the 2014 time period that didn't require sprinklers and they're listed as a shift vacation rentals as one of them. Like I can point I've given all of this to them. I've seen it in a land use review where for that shift, vacation rental property, they got flagged for a fine for a short term rental and they said, hey, well, wait, we're in a commercial zone. This is what we were told to do. And they said, oh, okay, never mind. We talked to the building code department a building permit isn't required for this, just a zoning permit. Here's the things that you need to do. Provided them those emails. No response. I don't know what to do and okay.

**Speaker:** And I but I just I'm trying to say ten units. These are you were trying to get permits. You were in the process. Correct. And that's I'm just trying to quantify the impact. And so that.

**Speaker:** Yeah. So a bunch of them, a bunch of them we have already submitted. So to my understanding, if they've been submitted, what matt has told me is they're

going to honor that. So that's my understanding. Like if they've been processed into the city, even if they're not finalized, that he's going to honor those permits. So I'm not as stressed about those, although I don't know if that will hold true. I hope so. So I'm just talking about those properties are all going to get permitted and be on the registry regardless. And we're talking about properties that I may not get submitted in time.

**Speaker:** If I could clarify a few things. Sure, please. That was all. For the record. So speaking with alana cox with bkd, I've been on multiple code change. I work with the state a lot. She's never said you cannot do this. She said, you cannot do it through the building code. You have to do it through local ordinance. That has been her consistent message to us. And again, that's why we're here today. You know, chris reeves at icc. You know, he's been around a long time, very knowledgeable person. That is his opinion. But in the end of all his emails, he said it is up to the local jurisdiction to make that decision. And, you know, building codes are continually changing. We're on a three year code cycle and every three years they're updated. And, you know, hayden is speaking to some things from ten years ago, and we have been better at regulating these. And we're trying to get better. As donny was talking. So i, I understand his frustration and things do change. It's a cycle and I can't answer all his concerns about that. But I do feel that when we're looking at this, this is a safety requirement for the people who are visiting Portland. It's a minimum safety requirement for residential sprinkler systems. We're not having them put in a full system. These are you know, I think I don't know if kerry can give me the numbers, but I think it's around \$3 a square foot or less to install these. And then you might have some systems.

**Speaker:** Let me ask a question related to this. And I don't want to sit here and debate this all night because there may just be an honest disagreement of opinion

here, which is fine. We have that all the time here. Not all decisions are easy. Sometimes they're 5,149% decisions, not just the way it is. And this may be one of those, but and I appreciate you engaging, by the way, at the level you're engaging. Thank you for this. So this isn't a house. This is a commercial enterprise. And therefore you have people paying money to you. You are making a profit from people who are traveling here from other parts of the country. Other parts of the world, and they stay in your facilities. That's correct. And you're saying that you should not be held to the same standards as other commercial enterprises that do exactly the same thing, because you are a short term rental. Is that. No, no, because what is your argument why you should be exempted?

**Speaker:** Our short term rentals that are above two units are sprinklered that are in commercial zones. I don't need sprinklers because I'm a one and two family building. And so again, matt is distorting what alana cox said. She said the building code does not require this. So city of Portland. No, no. But if Portland wants to requires. Let's just be clear. If Portland wants to require this, Portland can require this. It is not required by building code. That is what they're saying. Legally. Yes. You City Council can choose to enact this, but short term rentals nationwide, it does not matter where you go. And I've asked them to provide me examples of this as well. Where are sprinklers required for a property to be an airbnb in san diego and miami and the Oregon coast in sun river in bend, anywhere. It is not because single family houses, it's what bob read to you. Even if you direct to the commercial code. The commercial code says if you're a one and two family dwelling, it doesn't designate fine.

**Speaker:** But here you're slightly missing my point because it's not really a single family home.

**Speaker:** It still is in form.

**Speaker:** It is a commercial enterprise with lots and lots of people renting it, and so my question is, you know, if it's one unit or it's ten units, if you're operating it as a commercial enterprise for profit, why should it not have the same life safety standards as other equivalent accommodations?

**Speaker:** I would tell you that it does. That's my point. It has the same equivalent life safety standards as every other one and two family home in the country, regardless of what it's being rented as.

**Speaker:** Just, can I jump off this question because I still feel like we're missing. We're talking past each other on this scenario because when I think of a commercial enterprise potentially multiple units. So he's saying if he's got three units or more, right, he's got a sprinkler, that he's got a sprinkler that. Anyways, do you guys agree with that?

**Speaker:** That automatically kicks you into the commercial code okay. So that is helpful.

**Speaker:** So we are truly only talking about one and two family units before us here.

**Speaker:** And townhouses and townhouses.

**Speaker:** I'm sorry it's late in the day. So I'm even thinking what what do you mean by townhouse in this case, the detached housing that you can kind of go indefinitely. So those are single family, but they have a two hour fire rating between them.

**Speaker:** And you just keep. So we have some that are like 12 or whatever, but because they have that two hour wall, they're townhouses.

**Speaker:** And so and I'm just trying to bridge the gap between what mayor Wheeler is getting at and what he's getting at. He's saying it's we're really talking about one and two family unit. You know, things that I'm worried about, bigger

buildings where there's a lot more people at stake and, and so are we dealing with a lot of townhouses that are being used as these type of units?

**Speaker:** I wouldn't say a lot. I think there's we have a couple that are for townhouses.

**Speaker:** I mean, without this you would be allowed to build and do it. And you know, 28 in a row. That's just the way the residential building code is set up.

**Speaker:** Three stories max.

**Speaker:** That's what the code says is residential code three stories and the residential sprinklers, which would be required for 1 to 2 units.

**Speaker:** Like what is I'm trying to do the math in my head because I googled it. What that cost to install, and I don't know if I have good facts here.

**Speaker:** The sdc fees for the water line alone end up being over \$20,000, plus the installation, plus the repair of the sheetrock.

**Speaker:** Depending on the water meter size. So typically residential systems are 26 gallons per minute, which would require a three quarter inch meter. So I don't know what the sdc charge is on that, but I'm just trying to figure out what the real cost is to you guys.

**Speaker:** So that's what I'm worth to you. I'm just trying to gauge what this 35 to \$50,000 for a \$400,000 house.

**Speaker:** Well, look, you know, just to jump on the same argument, I had before. So it may not be financially viable as a business operation at that level. Correct?

**Speaker:** Okay. Yeah, that would be fine if that. That would be fine if that was the we're here to talk about safety. Right. So that's that's the question. And which code does it fall under. And if you guys want to communicate with the state independently that that's that's what they've said is it falls under the residential code just like it does everywhere else in Oregon, just like it does everywhere else in

the country. So this would be groundbreaking territory that you guys would be choosing. That's different than the way it's regulated anywhere else in the country.

**Speaker:** Commissioner Mapps thanks for your patience, by the way.

**Speaker:** No, actually, my, that was just a legacy. Hands. Let's see. So I don't have anything to add at this particular moment. Although I may be more revoked if we vote.

**Speaker:** So I would like to put a proposal on the table. And donnie, maybe I'm looking at you. I would like to digest this, and I would like to dig a little deeper. And I realize this is an emergency ordinance, but I'm wondering if you could continue this to next week so we could all do a little more research if that does not create a massive headache for you, and if it is the will of the council, I would love that in particular, to have real cost implications.

**Speaker:** Right? I mean, that's what I'm just trying to quantify. We're guessing at sdc's I take you at face value, but just trying to really understand what that's going to translate to, you know, we and it's all in the backdrop that we require a lot of hotel operators and they are in competition with airbnb. And there's got to be some fairness here as to what we apply to hotel operators and what we provide to airbnb that adjusts for the different risk. And you know, we're kind of in a gray area right now here. So I but I would appreciate cost info and that you guys can all certify as to what that likely means.

**Speaker:** Yeah. And I'll just tip my hand a little bit. I will on the side of life safety and I will on the side of consistency. But you know, I'm willing to take a week and consider some of the alternative arguments that we've heard today. But from where I stand today, I support the staff recommendation that I will be willing to take a look at it and do a little more digging with my colleagues. So it sounds like, without objection, then we can continue this to next week. I don't think we need a

time certain we can just put it on the regular agenda. Is that correct? All right. Good bears don't.

**Speaker:** Are you trying to say something?

**Speaker:** Oh, I'm sorry donnie, no. You're good.

**Speaker:** I was I was making good Keelan.

**Speaker:** About time. Can I ask one more?

**Speaker:** Five second question?

**Speaker:** Yeah, yeah, go for it.

**Speaker:** So, have you looked at the townhouses as a possibility of being something different than here? I mean, have you evaluated that just given that I think there are different risk factors there, at least under the scenario where you build ten in a row, or you look at some of these developments where you got a whole bunch in a row. I mean, that is a that's a scary scenario of one catches on fire.

**Speaker:** And there are and I believe, hayden, you have at least one unit that's 4 or 5 unit townhouses.

**Speaker:** We're building one. That's four units on alberta right now. Three stories. We have another one that's six that we're sprinkling because it's four stories.

**Speaker:** So yeah, but the first one you're not currently sprinkling.

**Speaker:** No, we were not required to install sprinklers in that. And which is why I say that the target has been moved on this. So the implication that this has been applied consistently is untrue. And okay.

**Speaker:** And that's because he submitted it under the residential code, which grandfathered. You can you can do that under the residential code. But again the residential code is specifically, you know, historically has been used as dwellings where people are living there full time. The code did not really contemplate the

short term rentals. And now that these, you know, we've had them ten, 12 years, the code is catching up with those. And I think that, you know, we'll see throughout the us that more cities will be going to these more restrictive, you know, safety requirements for, for these types of units. So and I will just add one other thing that the national code does require fire sprinklers in all one and two family homes. So.

**Speaker:** Great. Anything else on this? So we'll noodle over this for a week. I want to thank everybody who testified. Today, this is terrific testimony. We appreciate it. It's given us a lot to think about. I want to thank our staff. I know you've worked very, very hard on this and I look forward to seeing it come to a conclusion next week. Thank you for being here. And I believe that completes our agenda for today. We are adjourned. Thank you, everybody. Thank you.