

TO: Neighborhood Tree Team members and Portland tree advocates
FROM: Bruce Nelson, Cully Tree Team 30 March 2022
RE: Portland Urban Forestry Commission Meeting March 17, 2022:
Summary and Comments

NOTE: This document is not an official document of the Urban Forestry Commission. I am a private citizen who is a volunteer member of the Urban Forestry Commission. I write this document as a private citizen.

Conflict of Interest Policy –

“Members of City advisory bodies are public officials, based on State law ORS 244.020(15), and as such are required to disclose conflicts of interest. Under the Oregon Revised Statute 244.020(3), an appointee has a conflict of interest when participating in an official action which could or would result in a financial benefit or avoidance of detriment to the public official, a relative of the public official, or a business with which either is associated.”

These meetings usually occur on a monthly basis, on the third Thursday of the month. Official minutes of the meetings are available at the website for the Urban Forestry Commission (UFC), once they are approved by the Commissioners (usually 1-3 months after the meeting). You can see and listen to You-tube recordings of the meetings for 2021 and 2022. Go to the link at the UFC website <https://www.portland.gov/trees/ufc> or to the You Tube sit <https://www.youtube.com/playlist?list=PL1ToXf0RSV44U3FpC0nwlUqtFOMFuIXMY>

The decisions made at these meetings may affect volunteer tree advocacy and may influence Urban Forestry division processes and actions. I am sending you timely commentary on these monthly meetings. If you do not wish to receive this, let me know.

Italicized text indicates my own point of view and/or items not necessarily expressed during the meeting. **Red bold text is used for my required statement that this is not an official or adopted statement from the Urban Forestry Commission, as well as the Conflict of Interest policy for the City of Portland. Bold black text is used for subject headings, lead presenters for a specific agenda item and occasionally either to identify who is saying what or for emphasis.**

The monthly Urban Forestry Commission (UFC) meeting was held Thursday March 17, 2022, 9:30 a.m. – 11:35 a.m. It was held as a Zoom meeting, due to COVID-19 demands. *I was unable to attend this meeting due to unstable wifi connectivity at a location at the Oregon coast. These notes and comments come from listening to the posted recording of the meeting and checking other resources.*

UFC Commissioners Present - Vivek Shandas (chair), Anjeanette Brown (after ~ 10 am) , Barbara Hollenbeck, Daniel Newberry, Megan Van de Mark

UFC Commissioners Absent - Adrienne Feldstein, Bruce Nelson, Leah Plack

Urban Forestry (UF) Staff Present – Jenn Cairo (City Forester, Portland Parks and Recreation, Urban Forestry division) ; Brian Landoe (Analyst 1, Portland Parks and Recreation, Urban Forestry division; Nik Desai (Botanic Specialist II, Portland Parks and Recreation, Urban Forestry division)

City Attorney’s Office – No one was present (*or at least I could not see them*).

Minutes Review - No minutes could be reviewed and approved due to the lack of a quorum at the time this agenda item occurred. Brian reminded Commissioners to send him any additions/corrections to the draft minutes of December 2021 and January 2022 so they can be included in the minutes for review at the April meeting.

Approving New Members of the UFC Appeals Board –

The hope was to approve Leah Plack as a member of the UFC Appeals Board and to approve Adrienne Feldstein as the new chair of the Appeals Board. Barbara will work with Adrienne to orient her to her responsibilities as chair of this board. Due to the lack of a quorum of UFC members present, this vote was set aside until the April meeting.

9:30 a.m. Public Testimony -

Noelle Studer-Spevak of Families for Climate

<https://www.familiesforclimate.org/>

requested information about where the 6,000 trees would be planted that she recently heard about. These 6,000 trees were mentioned in a City Council budget session in which Adenah Long, Director, Portland Parks and Recreation, listed a \$2.9 million dollar request from City-allocated, federal American Recovery Plan

Act (ARPA) funds. Noelle shared that she was calling from her home state of Ohio, where many municipalities have the responsibility of street tree planting and maintenance, unlike the situation in Portland.

Jenn Cairo, City Forester, responded that the requested ARPA funds would be used as part of the Urban Forestry tree planting programs, which include City parks tree planting, public property tree planting, yard-tree giveaways for private property planting, and opt-out street trees for right-of-way planting. Numerous Portland government agencies are making requests to use these ARPA funds, so Urban Forestry is competing against other bureaus. More information is available about these programs at the City Tree Planting website:

<https://www.portland.gov/trees/tree-planting/tree-planting-opportunities>

The idea is that ARPA funds would be used over the next two years for these tree planting activities while general budget funds normally used for this program will be available for unspecified Urban Forestry needs. *I did not hear a clear statement that ARPA funds would necessarily increase or decrease tree planting by Urban Forestry.*

In response to a follow-up question by Noelle, City Forester Cairo said that the opt-out program that Urban Forestry has chosen to use is based on national studies that suggest that opt-in street tree programs seem to work best for people who are already attuned to and comfortable with city programs. However, the opt-in approach (positive action by residents to request a tree be planted on the street in front of their residence) is not effective for urban residents who do not trust government.

Barbara wondered if it is a statewide mandate in Ohio that street trees are maintained by the city, rather than adjacent property owners. Noelle thought it was a mandate on the part of many cities, but not a state mandate. She also thought it may have arisen in response to the past decimation of city street trees from Dutch elm disease.

Jenn added that she was not aware of any state mandates within this country that required public maintenance of street trees. She also added that the majority of American cities the size of Portland assume street tree maintenance, in whole or in part.

9:45 a.m. City Forester's Report Jenn Cairo (City Forester, Portland Parks and Recreation, Urban Forestry division)

- On March 16, 2022 Jeff Ramsey presented the Canopy Report to City Council. Vivek Shandas also shared in that presentation, and invited testimony by Daniel Newberry (with assistance from Megan Van de Mark) was also received. (Trees for Life Oregon's Kyna Rubin also testified about canopy issues.) Jenn greatly appreciated the work of all these individuals. There was great discussion and information-sharing about trees in Portland. City Commissioner Mapps had questions about the canopy loss statements that were included in the written and oral report presented by Urban Forestry in the prepared Canopy Report. Urban Forestry believed that information from the research of Dr. Vivek Shandas and data from the latest Metro canopy survey support Urban Forestry's conclusion that canopy loss is occurring in Portland. *It should be noted that what Commissioner Mapps was referring to was the statement in the Urban Forestry report said the amount of decline in measured canopy was within the margin of error that could be expected. Yet Urban Forestry led with a statement in the written report that tree canopy in Portland was declining. While I agree with Commission Mapps' point, it should be noted that, for the first time since UF has been doing these 5-year canopy updates, there was not a significant increase in overall tree canopy. Data gathering using this particular US Forest Service procedure began in 2000. It has been done at 5-year intervals since then, in 2005, 2010, 2015, and 2020.* Jenn cited Pittsburg, which occupies about the same geographic area as Portland but has a much higher tree canopy level. Another example Jenn gave was New York City, which overall has the same canopy level as east Portland, yet New York City has a much higher population density. *Jenn's point was that Portland has adequate space for additional canopy and likely also has space for more people.* There is clearly a need for canopy improvement in Portland. Jenn considers it "dangerous" to understate the canopy loss that is occurring in Portland today.

As a result of the findings of this Canopy report, Commissioner Rubio is developing a resolution for City Council to consider. This resolution will direct the Water Bureau, Bureau of Environmental Services, Bureau of Development Services, Bureau of Planning & Sustainability, and Portland Bureau of Transportation to work with Portland Parks & Recreation/Urban Forestry division to identify actions that will be taken to preserve and

expand the urban forest and report these proposed actions back to Council this fall.

- 10 new staff positions have been filled at Urban Forestry since March 2021, thanks to passage of the Portland Parks levy and allocation of funds from that levy to the Urban Forestry division. This is unprecedented for Urban Forestry. Currently there are recruiting efforts underway for 7 additional classifications, some of which include multiple positions. These include: urban forestry planning analyst, tree inspectors, and Urban Forestry assistants (temporary seasonal work). Jenn noted that there are at least 11 full-time staff at Urban Forestry who started as Urban Forestry assistants. Additional classifications will be listed in several weeks, including several climbing arborist positions and lead tree inspectors.
- Plans are underway for an Urban Forestry Commission workshop on the morning of Wednesday, May 4. Vivek and Brian are working with Jenn. Tentatively the meeting is for 8:30 a.m. to 12:30 p.m. at Leach Botanic Garden, which Bruce has contacted about arrangements. Brian will contact UFC members to check on individual members' availability for the meeting at that date. *The date on this may change to maximize Urban Forestry Commission member attendance.*

Megan had a question about City Commissioner Mapps' queries at the Portland City Council session. Was he seeking clarification? Did he just not accept or not understand what was presented? Jenn stated that Commissioner Mapps was concerned that the canopy reduction found in the City-gathered data and included in the Canopy Report was within the margin of error allowed, hence it was not appropriate to call this a reduction in canopy. Vivek shared that the 4,500 data points used in the Urban Forestry sampling is a lot of data points and therefore gives more credence to the canopy reduction trend shown in the Urban Forestry-gathered data. Vivek and his students are working on canopy research, using different means to measure canopy. His preliminary data seems to support the idea that canopy reduction is happening in Portland. But he and his students are still working on analyzing their data. The work has not yet been published.

Daniel had a question about how the 6,000 trees would be planted, should Urban Forestry receive its requested \$2.9 million from city-allocated ARPA funds. Jenn responded that this funding would be used over a two-year time period. The trees would be part of UF's regular tree planting program. Yard-tree giveaways are 2,200 trees a year.

Vivek wondered when the policy position is likely to be filled. Jenn stated that the Policy Analyst position posting closes on March 28. The newly hired Policy Analyst will work under Brian and will be the lead for the update of the Urban Forest Management Plan, in addition to working on other policy projects.

Daniel wanted an update on pending new UFC commissioners. Brian responded that three names will be brought to City Council for approval on April 13, so it is hoped they will participate in the April 21 UFC meeting. Megan has agreed to serve a second term, so she will also be up for approval at the April 13 City Council meeting. Anjeanette's term has expired and she has decided to not continue on the UFC. However, she has agreed to serve until a replacement can be found. Daniel wanted clarification on term lengths. Brian said that all new Commissioners will be appointed for four-year terms. Daniel had further questions. Jenn said that the City Attorney has made a ruling on this.

I listened to the UFC meeting several times, especially this discussion between Daniel, Jenn, and Brian. What became clear to me is that Title 11 does not address some of the issues Daniel raised. In Title 11 it is 11.20.020 that contains information relevant to the Urban Forestry Commission appointments and terms of office. It has no specific information about filling vacated positions.

The current situation with UFC is that UFC member Lorena Nascimento resigned from UFC effective September 2021. Initially Gregg Everhart, Barbara Hollenbeck, and Damon Schrosk were told that their second term ended at the end of February 2022. Questions were raised about a phrase in Title 11.20.020B that seemed to indicate members could stay on past the expiration of their term until a replacement has been approved by the City Council. The City Attorney's office decided that indeed Gregg, Barbara, and Damon could serve until replacements were found. Once they were notified, Damon opted not to continue serving, while both Barbara and Gregg agreed to continue serving until replacements were found. Barbara did attend the March UFC meeting but Gregg was unable to.

At this meeting Brian announced that three new UFC Commissioners would hopefully be approved at City Council on April 13 and that Megan would also be approved to serve a second four-year term. If all four are approved, then the UFC for the April meeting will consist of Vivek Shandas (chair), Anjeanette Brown (who will be serving only until a replacement is found), Adrienne Feldstein, Bruce Nelson, Daniel Newberry, Leah Plack, Megan Van de Mark and the three newly appointed UFC Commissioners.

That will leave UFC with nine members and still two vacancies to fill. The search for individuals to fill those two positions will begin soon but no specific timeline has been specified.

It is unclear why none of the three term-exiting UFC members will continue to serve on the Commission until that position is filled. If Lorena, Barbara, Gregg, and Damon are all off the Commission and three of those vacancies are filled, why is it that the vacancies filled are for Barbara, Gregg, and Damon, not Lorena and two of the term-limited UFC members? Lorena last attended a UFC meeting in August 2021. My recollection is that she notified Jenn in August or September that she would no longer be able to serve on the UFC due to work responsibilities in her new teaching position at Portland Community College. But I can't find any evidence of that in my records. I would have thought that her position would be the first one to be filled, and then Barbara's/Gregg's/Damon's spots and finally Anjeanette's. But there is nothing in Title 11 about this, so it appears to be up to the City Attorney and Urban Forestry. Hopefully, future amendments to Title 11 can clarify the process to be used in filling positions.

10: 05 a.m. Economic Opportunity Analysis - Tom Armstrong (Supervising Planner, Bureau of Planning and Sustainability (BPS); Steve Kuntz (Senior Economic Planner, BPS); Rachel Hoy (Senior Planner, BPS)

Tom is overseeing the update of the Economic Opportunity Analysis (EOA). He showed an orientation slideshow on the process and what is involved.

Jenn wanted to frame why this is coming before UFC. It is desirable for UFC members to be aware of this project as they consider trees in Portland.

The EOA is a required background report to the Comprehensive Plan to primarily support land use planning and zoning decisions. It is required by Statewide Planning Goal #9, which requires each city to regularly determine the amount of land necessary to meet the anticipated job growth over the next 20 years. City staff at BPS look at 1) recent development trends; 2) changes in the market; 3) employment growth forecast; 4) Metro's regional growth forecast with a finer view by BPS staff; and 5) development capacity by looking at where underutilized or vacant land is within Portland. BPS then conducts a supply and demand analysis. Looking at all of this information as well as livability goals and community resources goals is also part of this analysis.

The city is considered as four different geographical types: Central City, Industrial, Neighborhood Commercial, and Institutions. BPS looks at employment and land available in each of these geographic types for the next 20 years. They have formulas they use for relating the job type to the amount of land needed.

State rules stipulate that cities must always have a surplus of property to meet the projected job growth. For Portland, the area in which the land is the tightest is the Heavy Industrial zone (IH zone). It is this specific situation that has led to the situation where parts of Title 11 pertaining to tree preservation and planting do not apply to IH land that is not owned by the City. The other three zones routinely have sufficient excess land (capacity) available to meet the projected job growth.

The goals are to: a) analyze and provide adequate land supply for jobs in the year 2045; b) promote inclusive prosperity and reduce BIPOC income disparities; and c) analyze industrial growth capacity to optimize multiple objectives.

Three policy objectives coming out of Chapter 6 in the Portland Comprehensive Plan have been identified to be used in attaining the preceding three goals: 1) to promote and attain a diverse and growing city economy (Portland is doing okay here), 2) to promote and maintain competitive trading sectors (ditto), and 3) to promote equitable household prosperity (Portland has gone in opposite, undesired directions here).

BPS tries to keep this growth analysis fresh, so it is conducted every 5-7 years. This analysis is important to many City decisions. Metro's recently released report that projects growth out to 2045 is an invaluable guiding document. *I had no luck in finding this document online so I can't provide a link to it.*

Steve Kuntz (Senior Economic Planner at BPS) says there will be a report release in the Portland growth trends report in the next couple of days. *I could not find any mention of it at the BPS website nor did a Google search find any new trend report as of March 29, 2022* BPS staff look at four sectors of job growth: office sector (primarily central downtown) (30 %), industrial sector (22%) , institutions sector, i.e., education and hospitals (24%), and retail/consumer services (24%).

Three general trends over the last business cycle 2008 – 2019 are:

1. Increasing income inequality (happening faster here than nationwide);
2. Continuing racial income disparities;

3. Declining affordability (*not sure what sort of data is used here but guessing housing cost is an important part of it*), resulting in increasing share of poor households.

Portland had outpaced the national averages in job growth in the last three business cycles. The growth has been in all four broad sectors. Job growth locally is primarily in high-wage and low-wage jobs. There is flat growth in middle-wage jobs. This flat middle-wage growth is unusual, compared to other cities in the country that are outpacing the national averages for job growth.

One City-generated document on the growing wage inequality in Portland is at the following website:

<https://www.portlandoregon.gov/transportation/index.cfm?&a=765640>

Steve Kuntz said:

“We are growing an economy and a community of haves-and-have-nots by the types of jobs we are growing here.”

“The burdens of these income inequality trends are falling primarily on the working class, people without college degrees that rely on middle-wage jobs.”

Growth in new households in Portland is primarily in high-income households with 85% making more than \$100,000 a year. There is persistent income disparity by race. Median household incomes of black households are about half of those of white households. Middle-wage jobs (considered those jobs with pay between \$34,000 - \$60,000 a year) include jobs in constructions, office support, transportation, and production manufacturing. These may not require a college education so they are viewed as important in helping to address the City’s equity focus.

I am guessing the unstated assumption is that non-whites are less likely to have a college education.

In looking at BIPOC vocations, office and manufacturing/distribution and office sectors result in higher incomes than those in other sectors.

For Portland’s Comprehensive Plan, the decision has been made that jobs in the industrial sector really do provide those middle-wage jobs that are potentially very helpful to the BIPOC community.

The process to be used for this discussion draft will be shared with various groups later this year. Then a proposed draft late this year or early next year will be developed, which will come back to us for review. In mid-2023 the EOA will go to City Council. Technical analysis is still going on.

In summary, BPS is looking at land demand and land supply and determining a means for how to evaluate them.

For demand, BPS is relying on

1. BPS's internally generated recent trends forecast,
2. Metro's growth forecast,
3. Inclusive prosperity 40-40-20 *I think this refers to education level. The state goal of having 40% of the work force with a bachelor's degree or more, 40% of the work force with an associate's degree but no higher level and 20% of the work force with a high school diploma but no higher.*

For land supply, BPS needs to consider:

1. Natural resource protections,
2. Land conversions to other,
3. Expanded employment potentials (brownfields, map changes)

The evaluation framework that guides BPS is to consider economic opportunities, natural resource functions, special benefits and burdens, as well as any other City policies and goals that may need to be taken into account.

Barbara wondered if the presentation would be available to UFC members so they could spend more time reviewing it. Tom said he would share the information with Brian and send him the link to the full report. Additionally, when the new trends document is out that information will go to Brian.

Daniel reminded UFC members why EOA is important for UFC consideration. Industrial areas tend to have lower canopy. Industrial areas are also often adjacent to low-canopy, low-income areas of town. In the methodology used for relating job growth and industrial areas, it is assumed there is a direct relationship between size of land and job potential. Is there any possibility to address this? Tom thought that this takes a lot of discussion if you are looking at zoning changes. If you are only thinking about a voluntary program, that is something completely different. Steve did some work with Johnson Economics looking at these kinds of considerations. Tree code requirements currently don't apply to heavy industrial. Nearly all the heavy industrial land is fully developed. Brian added that it is only the private IH lands that seem to be exempt from some Title 11 code requirements.

Megan wanted to be sure she understood what was being talked about in industrial lands. She had the perception that there is a lot of vacant land on currently

developed industrial land. Tom responded that a lot of industrial land may appear somewhat lightly developed. But Tom shared this is the tightest land category. A more detailed look is occurring for this type of land, a look at the trees there, a look at benefits and costs of more tree preservation.

Tom anticipates coming back to UFC this fall.

11:10 a.m. Title 11 Technical/Minor Amendments Update Project - Brian Landoe (Analyst 1, Portland Parks and Recreation, Urban Forestry division); Nik Desai (Botanic Specialist II, Portland Parks and Recreation, Urban Forestry division)

A good source for information on these amendments is below:

<https://www.portland.gov/trees/title-11/about>

Nik and Brian reviewed about a third of the proposed amendments last month at last month's UFC meeting. The hope was that now would be a good time for UFC members to provide feedback to Nik and Brian.

Daniel had a concern about the removal of "dangerous" Heritage trees not needing to be voted on by the UFC. Nik says they have heard this concern. Dead, dying, dangerous are professional decisions currently made by UFC staff. Brian added that this is just an expansion from the existing code for dangerous but not for dead and dying.

Jenn wanted to be sure she understood that UFC wants to have more say over Heritage tree determination. Jenn was not convinced that the tree code carefully spelled out specifics in dealing with Heritage trees.

Barbara believes that discussions about Heritage trees within the UFC meetings help to keep UFC members "active and present" with the Heritage tree program. Jenn said even if UFC members were not in the discussion about removing dead, dying or dangerous trees there still would be the volunteer Heritage tree committee and the annual UFC review of proposed Heritage tree suggestions from the Heritage Tree Committee, prior to the list of trees going to City Council.

Brian reminded UFC members that there will be a public hearing on the proposed Title 11 amendments in May (*at the May UFC meeting?*)

Pedestrian Design Guide - Vivek Shandas (Chair of Urban Forestry Commission)

Brian shared that the deadline for written public comment on the draft Pedestrian Design Guide is 5 pm April 1. Public requests to speak at the public hearing on Monday April 4 between 3:30 pm – 5 pm must be submitted by 5 pm April 1. This will be a public hearing via Zoom.

Daniel thought it is appropriate to continue to submit testimony, even though UFC has written two previous letters on the Pedestrian Design Guide as well as provided feedback during an earlier UFC meeting. He believes other groups and individuals will be testifying at the Monday April 4 public hearing. He made a motion in support of allowing the policy committee to send a letter on the Pedestrian Design Guide to PBOT before the April 1, 5 pm deadline and to also make public testimony at the April 4 public hearing, if that hearing occurs.

With Anjeanette present, quorum was reached and the motion passed.

Scheduling Future Agenda Items - Vivek Shandas (Chair of Urban Forestry Commission)

Vivek shared that he has talked with Jenn and Brian about concerns expressed about scheduling future agenda items. There are many obligatory agenda items from various City bureaus but often these come with no more than at most a few months' notice. But there are many Portland Parks and Recreation/Urban Forestry items that predictably occur each year at about the same time. Those items could be listed on a calendar to help UFC members better understand the yearly flow of the job. Brian thought that he could conceivably work out a tentative agenda three months out that takes into account both PP&R/UF generated agenda items and items from other bureaus that come in irregularly and sometime unpredictably. Daniel thought it would be helpful if all UFC members could get accustomed to looking at some location for agenda details. Brian suggested that this discussion about agenda process might be a good topic to address at the upcoming UFC workshop (May?).

Megan wondered if the idea is to have a place where all agenda items brought forward by UFC members can also go. *This was not really answered aside from the statement that it was up to the Chair and the City Forester to determine agendas for UFC meeting.*

Barbara stated that UFC is an advisory council. This should include what UFC considers important as well as what the City deems important.

Daniel proposed that time be set aside in each meeting to allow members to briefly share something of concern or interest that is relevant to the mission of the Urban Forestry Commission. Daniel also thought it was very important to develop an onboarding procedure for new UFC members.

Closing

Daniel thanked Barbara for her service. Jenn thanked Barbara for her years of service to UFC and especially for her work on the Appeals Board. Barbara wrote and has implemented the guidelines by which the Appeals Board operates

Megan shared that there was a great article in a recent *High Country News* that included a lot of interesting information about Anjeanette. See the link below:

<https://www.scribd.com/article/562176324/Climate-Justice-Comes-Home>

Next Urban Forestry Commission Meeting: The next Urban Forestry Commission meeting will be 9:30 a.m. – 11:30 a.m., Thursday April 21, 2022, as a Zoom meeting. Check the link below prior to the meeting for the agenda, meeting materials, and how you can gain access to this Zoom meeting:

<https://www.portland.gov/trees/ufc/events/2021/6/17/urban-forestry-commission-meeting>