

DATE: March 13, 2023
To: Roberta Jortner and Adrienne Feldstein – Co-Chairs Urban Forestry Commission

FROM: Dr. Steven Holt, Chair Oversight Committee for the North/North East Neighborhood Housing Strategies of Portland
RE: 4124 N Mississippi Avenue – Support for Heritage Tree Delisting

I write to you as the Chair of the Oversight Committee of the North/Northeast Neighborhood Housing Strategies.

I have had the privilege of serving in this seat since the inception of this committee. In 2015, Mayor Charlie Hales dedicated \$20 Million to assist with the issues that contributed to gentrification and displacement and to create a mitigation strategy. As a result of that investment, the Oversight Committee was born, and I was selected as its chair.

Since its inception, the Oversight Committee has been committed to four areas of consistent action. 1) Prevent further displacement of homeowners. 2) Create ownership opportunities within the North and North East parts of the city of Portland. 3) Build new and affordable housing for ownership and rental. 4) Secure and set aside as much land as possible for future development.

Our work has been rather successful. To date our total investments, exceed \$100 Million, new homeowners top 100 families, over 1200 families have been able to secure affordable rentals, and multiple acres of land have been purchased and are now being deployed for development. It has been our delight to have served in this capacity for more than 8 years. It is our passion, action and intention.

To act on behalf of those who, too often in the City of Portland, don't have an advocate is a privilege and an honor. So, when I heard about the issue of a tree that has been designated as "historical" and the potential crisis that this designation is having on a family, I could not help but lend my voice. I get the issue of designation and the desire to preserve the value and essence of the landscape that has made Portland, Portland. What causes pause for me, is the reason of these designations and for whom they are to benefit. If it is the desire to protect the identity of the city and keep alive the landscape for the future, that is good. But if the future that is being protected creates hardship for the people who are to benefit from that future, then it is a counterproductive exercise. More importantly, if the designation creates harm for the people who own the property, use the property and or have plans to use the property, how is that a benefit to them?

It appears to me that the real issue is one of equity and integrity. Equity is the process of intentionally creating access, opportunity and support for underrepresented people groups

without causing further harm. Integrity is to function with honorable truthfulness. Both these principles have been missed as it relates to the Burton family.

From an equitable standpoint the Burton's are a family that should be supported with the utmost resource and opportunity because of the harm that is associated with their lived experience, especially in the city of Portland. There are NO neighborhoods in the city where the average black family can purchase a home. The number of blacks that have been gentrified and displaced in this city qualifies Portland as the #1 most gentrified city in the nation! It is incumbent upon this city to do its dead level best to turn that around.

From an integrity standpoint, the Burton's did not know that they were purchasing a property that has a tree with this designation. If this information had been disclosed in advance than an informed decision could have been made. It was not. Therefore, they could not. Seems predatory and intentional to me... None the less, the process was without integrity.

By holding the Burton's to the impact of an "historical" designation creates economic harm, functional harm, and emotional harm. It sets the city up for the continuance of "business as usual." It tells a story that I don't think we want told. It communicates an absence of value for the citizens of Portland who are making positive contributions.

I strongly request that this be overturned by you, Roberta Jortner and Adrienne Feldstein, the Co-Chairs of the Urban Forestry Commission.

Should you have any questions or concerns and would like to dialogue with me directly, please feel free to do so.

Dr. Steven Holt

Chair of the Oversight Committee for the North/North East Neighborhood Housing Strategies

drholt@tryxcellence.com



DATE: March 6, 2023

TO: Roberta Jortner and Adrienne Feldstein - Co Chairs: Urban Forestry Commission

FROM: DeAngelo Moaning – NAACP: 1st Vice President and Chair of Economic Development

RE: 4124 N Mississippi Avenue – Support for Heritage Tree Delisting

CC: Commissioners – Derily Bechtold, Casey Clapp, Ivory Iheranacho, J.R. Lilly,
Melinda McMillan, Justin Misner, Bruce Nelson, Leah Plack, Megan Van de Mark
Commissioner Dan Ryan
James Posey – NAACP President

The NAACP supports Victoria and Alston Burton's request to have the Heritage Tree on their property delisted. The NAACP supports this request for three reasons. Victoria and Alston Burton are long time African American community members and property owners. The location of the heritage tree on their property poses a significant threat to the building foundation. The infestation of beetles in the house directly caused by the tree also poses a threat to anyone that inhabits the building. As a result, the tree has created an economic hardship for the Burtons. The NAACP has a long history of standing for social justice and economic equity. The NAACP supports and advocates for assisting African American property owners maintain their asset, to retain and increase wealth for African Americans. African Americans have one of the lowest household net worth of any ethnic group.

The heritage tree policy has flaws. The City of Portland did not consistently notify property owners about heritage trees prior to 2015. The heritage tree designation was not listed on the title when the Burtons purchased the property in 2001. They were notified of the designation a few years after they purchased the property. The Burtons could not make an informed decision when purchasing the property. In addition, the heritage tree policy does not provide any guidelines to help property owners that face the challenges experienced by the Burtons.

The tree roots have caused a safety hazard to the sidewalks and steps adjacent to the property. The Burtons have incurred \$ 4,500.00 in costs to conduct interim repairs to the sidewalk and steps. The foundation is now showing cracks and water is leaking into the basement. The estimate to prune the tree roots to prevent further damage to the foundation is up to \$14,000.

An invasive beetle feeds on the leaves of the tree. It infests the framing in the attic and migrates to the other areas of the residence. The home is uninhabitable, and the Burtons cannot rent the property. The Burtons are paying the mortgage and other related expenses from retirement savings. They have been paying \$2,100 each month since July 2022. The Urban Forestry Inspector estimates it will be a minimum of three years to interrupt the beetles life cycle and remove the beetles. The cost to treat the tree to remove the beetles and combat them inside the residence is \$1,600 per year (this does not include pruning the tree). The total annual costs to the Burtons are up to \$26,800 per year. Pest control professionals advise that the tree needs to be removed to effectively eradicate the beetles.

A property owned by an African American will unnecessarily be at risk of being lost due to the costs to mitigate the tree. The risk was caused by the failure of the City to notify the property owner of the heritage tree designation when the property was purchased, plus forces of nature beyond the control of the owner. The NAACP requests the assistance of the Urban Forestry Commission to delist the tree. This will maximize the options available to the owner to address the physical and financial hardships they are facing.

DATE: March 6, 2023

TO: Roberta Jortner and Adrienne Feldstein - Co Chairs: Urban Forestry Commission

FROM: RenovatePDX (501c-3)

RE: 4124 N Mississippi Avenue – Support for Heritage Tree Delisting

CC: Commissioners – Derily, Bechtold, Casey Clapp, Ivory Iheranacho, J.R. Lilly, Melinda McMillan, Justin Misner, Bruce Nelson, Leah, Plack, Megan Van de Mark
Commissioner Dan Ryan

RenovatePDX supports Victoria and Alston Burton's request to have the Heritage Tree on their property delisted for three specific reasons. Victoria and Alston Burton are long time African American community members and property owners. Located less than 10' from the foundation, the location of the heritage tree poses a significant threat to the ongoing structural integrity of the home. The infestation of beetles in the house directly caused by the tree creates issues of habitability and applications of pesticide to treat them are costly and not environmentally friendly. Finally, as a result of the first two issues, the Burton's are unfairly financially burdened and at risk of losing the home. We fully support and advocate for common sense policies that assist African American property owners in maintaining their asset, retaining equity, and building intergenerational wealth for African Americans. African Americans have one of the lowest household net worth of any ethnic group and the lowest rates of homeownership in Portland.

The heritage tree policy has flaws. The City of Portland did not consistently notify property owners about heritage trees prior to 2015. The heritage tree designation was not listed on the title when the Burton's purchased the property in 2001. They were notified of the designation a few years after they purchased the property. The absence of this designation on the title or in their underwriting documents prevented the Burton's from making an informed decision when purchasing the property. In addition, the heritage tree policy does not provide any guidelines to help property owners that face the challenges experienced by the Burtons. And finally, the broad reach of the tree's canopy means that over 80% of our property cannot be developed, regardless of the Commercial zoning.

The tree roots have also caused a safety hazard to the sidewalks and steps adjacent to the property. The Burtons have incurred \$ 4,500.00 in remediation costs to repair the root damage to the sidewalk and steps. The foundation is now showing cracks and water is leaking into the basement. The estimate to prune the tree roots to prevent further damage to the foundation is up to \$14,000, not including the cost of actually repairing the foundation

An invasive beetle feeds on the leaves of the tree. It infests the framing in the attic and migrates to the other areas of the residence. The home is uninhabitable, and the Burtons cannot rent the property. The Burtons are paying the mortgage and other related expenses from retirement savings. The total annual costs to the Burtons for property maintenance are up to \$26,800 per year. Arborists advise that the tree needs to be removed to effectively eradicate the beetles and eliminate the threat to our home and underground water lines.

A property owned by an African American will unnecessarily be at risk of being lost due to the costs to mitigate the tree. The risk was caused by the failure of the City to notify the property owner of the heritage tree designation when the property was purchased, plus forces of nature beyond the control of the owner. RenovatePDX requests the assistance of the Urban Forestry Commission to delist the tree. This action will maximize the options available to the owners to address the physical and financial hardships they face.

Signed,

A handwritten signature in black ink, appearing to read "Laura Jackson", with a stylized, flowing script.

Laura Jackson
Executive Director
RenovatePDX.org



DATE: 9 March 2023

TO: Roberta Jortner and Adrienne Feldstein - Co-Chairs: Urban Forestry Commission

FROM: Kimberly S. Moreland, Community Historian, Moreland Resource Consulting, LLC

RE: 4124 N Mississippi Avenue – Support for Heritage Tree Delisting

CC: Commissioners – Derily, Bechtold, Casey Clapp, Ivory Iheranacho, J.R. Lilly, Melinda McMillan, Justin Misner, Bruce Nelson, Leah, Plack, Megan Van de Mark
Commissioner Dan Ryan

Greetings Commissioners. I am Kimberly S. Moreland, a community historian, urban planner, and owner of Moreland Resource Consulting. As a former project manager with Prosper Portland, I worked with the Burtons. Over the years, Prosper Portland has invested significant financial resources to redevelop and maintain 4124 N. Mississippi Avenue. I support the Burtons' request to delist a heritage tree located on their property for the following reasons.

1. Victoria and Alston Burton are long-time African American community members and property owners.
2. The location of the heritage tree on their property poses a significant threat to the building's foundation.
3. The infestation of beetles in the house directly caused by the tree also threatens anyone inhabiting the building. As a result, the tree has created economic and environmental hardship for the Burtons.
4. Finally, significant public investments were allocated to redevelop and restore 4124 N. Mississippi Avenue.

As a community historian working with many heritage groups, including the Portland Historic Landmark Commission, I value preserving and protecting our historic and cultural resources. However, in this case, saving a heritage tree causing so much damage to the built environment and the historic structure while limiting the property owner's rights to utilize their home far exceeds the importance of maintaining the heritage tree listing.

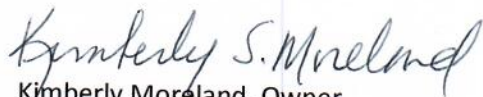
I have extensive knowledge about the history of Portland's African American community and the public sector programs that have consistently, sometimes unknowingly, displaced and disrupted wealth building for African-Americans in Portland. I advocate for assisting African-American property owners to maintain their assets and retain and increase wealth for African Americans. African Americans have one of the lowest household net worths of any ethnic group.

The heritage tree policy has flaws. The City of Portland did not consistently notify property owners about heritage trees before 2015. The Burtons were unaware of the heritage tree designation as it was not listed on the title when the Burtons purchased the property in 2001. The tree root system has caused a safety hazard to the sidewalks and steps adjacent to the property. The Burtons have incurred \$ 4,500.00 to repair the sidewalk and steps temporarily. Burton shared that the foundation is now showing cracks, and water is leaking into the basement; receive an estimate of \$14,000 to prune the tree roots to prevent further damage to the foundation.

An invasive beetle feeds on the leaves of the tree. It infests the framing in the attic and migrates to the other areas of the residence. The home is uninhabitable, and the Burtons cannot rent the property. The Burtons are paying the mortgage and other related expenses from retirement savings. They have been paying \$2,100 each month since July 2022. The Urban Forestry Inspector estimates interrupting the beetles' life cycle will take at least three years. The cost to treat the tree to remove the beetles and combat them inside the residence is \$1,600 per year (this does not include pruning the tree). The total annual costs to the Burtons are up to \$26,800 annually. Pest control professionals advise that the tree needs to be removed to eradicate the beetles effectively.

A property owned by an African American, a population group that government regulations have historically harmed, will unnecessarily be at risk of being lost due to the costs to mitigate the tree. The City did not notify the property owner of the heritage tree designation, and forces of nature beyond the owner's control have severely burdened the property owners. As mentioned, delisting the tree will allow the property owner to protect their home and allow the Burtons utilize it as a rental property. I support the property owner's request for the Urban Forestry Commission to delist the tree.

Sincerely,

A handwritten signature in cursive script that reads "Kimberly S. Moreland". The ink is dark and the signature is fluid.

Kimberly Moreland, Owner
Moreland Resource Consulting LLC

To: Portland Urban Forestry Commission (UFC)
City Forester, Jenn Cairo
Director Adena Long, PP&R
City Commissioner, Dan Ryan
From: Heritage Tree Committee (non-City employees) of the UFC
Date: March 14, 2023
Subject: Request for removal of designation from HT #26 at 4124 N. Mississippi Ave.

All committee members who were available have visited Heritage Tree #26. Given the short notice and health concerns we visited individually. We have also reviewed the analysis compiled by Jesse Nellis. We also regularly search for and review new candidates for HT designation as well as visit earlier designees, particularly when there is any question about tree condition.

Our team has seven ISA (International Society of Arboriculture) certified arborists and four community members. Most of the former have specialized ratings such as “tree risk assessment,” two are ISA “master arborists,” one serves as Curator of Hoyt Arboretum. The community members include three ISA certified arborists, two neighborhood tree stewards (one is also a former Oregon registered landscape architect), an environmental historian, and a retired forester. The two tree inspectors from Urban Forestry fill one position so someone is always available, and they have made many visits to this tree over the years.

*While all but two of us were able to discuss the tree over Zoom and made a unanimous decision, this letter represents the opinions of those not employed by the City of Portland. We have expertise, experience and great respect for Heritage Trees. **We find that HT#26 is a significant community asset, and the Heritage Tree Committee unanimously opposes removal of Heritage Tree designation for multiple reasons:***

- ❖ The tree is deemed to be in good health and structurally sound. It stands as a rare example of a healthy large elm tree.
- ❖ The tree is very prominent along North Mississippi Avenue and is the larger of the two English elms in the HT program.
- ❖ The large canopy of this tree provides many environmental benefits, helping to mitigate higher air pollution and heat island effects in an area supporting many smaller trees.
- ❖ As one of the oldest trees in east Portland, this tree is a living witness to 130 years of growth and changes in the Albina neighborhood.
- ❖ Delisting the tree would allow it to be removed without any Title 11 penalty while the neighborhood would lose a valuable resource. The \$900/in of dbh (diameter at breast height) fee for removing a HT without a removal permit essentially “values” this tree at \$60,750.

- ❖ The committee thinks the tree is irreplaceable and a landmark in Albina.
- ❖ The committee recognizes there are costs associated with maintaining the health and well-being of any tree, whether it be on public or private property. Trees benefit the community that surrounds them, and we would like to think heritage trees to be extra important in this regard. We acknowledge tree #26 has created some financial hardship for the landowner. Perhaps in the future, financial help could be made available to maintain a heritage tree when necessary. Although UF offers technical advice, financial assistance might help to encourage private landowners to accept a heritage tree designation for a tree on their property.

Please note that the Heritage Tree program will celebrate its 30th anniversary this May. Since this tree was designated a HT in 1994, it was selected in the second year of the program. While there are a few trees that had historic landmark designation before the beginning of the current HT program and became HTs #1, 2, etc, HT #26 is a prime example of how this designation can help preserve and showcase noteworthy specimens.

We hope that the UFC will agree to oppose removal of the HT designation.

Thank you for your consideration.

Sincerely,

/s/ Brian French

/s/ Dave Hedberg

/s/ Ginger Edwards

/s/ Gregg Everhart

/s/ John Mills

/s/ Stephen Peacock

March 6, 2023

My name is Aurelio Reyes, I live at 4120 N Mississippi next door to 4124 N Mississippi, that has the humongous tree. We purchased our home in 2000, from Habitat Of Humanity. The tree and its roots has been a constant problem since we purchased the home. The roots are throughout my property and it springs up small trees, which I have to cut down to prevent it from turning into a larger tree. At one point a small tree (4 feet) on the inside vinyl type of enclosed fence post.

For the past few years, the tree branches have been hovering over my house and creating a lot of moss on the roof. When leaves are on the branches, the branches and leaves touch my roof.

Due to the expensive cost of pruning and our limited income we cannot afford to have the branches pruned now nor in the future. Nor can we afford the maintenance of cleaning the moss off our roof and gutters. We support the Burton's in having the tree delisted.

Thank You,

Mr. Aurelio Reyes

Aurelio Reyes



Let's Build. Literally.

TakingOwnershipPDX@gmail.com

Letter of Support

DATE: March 15th, 2023

TO: Roberta Jortner and Adrienne Feldstein – Co Chairs: Urban Forestry Commission

FROM:

RE: 4124 N Mississippi Avenue – Support for Heritage Tree Delisting

CC: Commissioners – Derily, Bechtold, Casey Clapp, Ivory Iheranacho, J.R. Lilly, Melinda McMillan, Justin Misner, Bruce Nelson, Leah, Plack, Megan Van de Mark
Commissioner Dan Ryan

To whom it may concern,

Taking Ownership PDX supports Victoria and Alston Burton's request to have the Heritage Tree on their property delisted. TOPDX supports this request for three reasons. Victoria and Alston Burton are long time African American community members and property owners. The location of the heritage tree on their property poses a significant threat to the building foundation. The infestation of beetles in the house directly caused by the tree also poses a threat to anyone that inhabits the building. As a result, the tree has created an economic hardship for the Burton's. Taking Ownership PDX supports and advocates for assisting African American property owners maintain their asset, to retain and increase wealth for African Americans. African Americans have one of the lowest household net worth of any ethnic group. The heritage tree policy has flaws. The City of Portland did not consistently notify property owners about heritage trees prior to 2015. The heritage tree designation was not listed on the title when the Burton's purchased the property in 2001. They were notified of the designation a few years after they purchased the property. The Burton's could not make an informed decision when purchasing the property. In addition, the heritage tree policy does not provide any guidelines to help property owners that face the challenges experienced by the Burtons. The tree roots has caused a safety hazard to the sidewalks and steps adjacent to the property. The Burtons have incurred \$ 4,500.00 in costs to conduct interim repairs to the sidewalk and steps. The foundation is now showing cracks and water is leaking into the basement. The estimate to prune the tree roots to prevent further damage to the foundation is up to \$14,000.

An invasive beetle feeds on the leaves of the tree. It infests the framing in the attic and migrates to the other areas of the residence. The home is uninhabitable, and the Burton's



Let's Build. Literally.

TakingOwnershipPDX@gmail.com

cannot rent the property. The Burtons are paying the mortgage and other related expenses from retirement savings. They have been paying \$2,100 each month since July 2022. The Urban Forestry Inspector estimates it will be a minimum of three years to interrupt the beetle's life cycle and remove the beetles. The cost to treat the tree to remove the beetles and combat them inside the residence is \$1,600 per year (this does not include pruning the tree). The total annual costs to the Burtons are up to \$26,800 per year. Pest control professionals advise that the tree needs to be removed to effectively eradicate the beetles.

A property owned by an African American will unnecessarily be at risk of being lost due to the costs to mitigate the tree. The risk was caused by the failure of the City to notify the property owner of the heritage tree designation when the property was purchased, plus forces of nature beyond the control of the owner. Taking Ownership PDX requests the assistance of the Urban Forestry Commission to delist the tree. This will maximize the options available to the owner to address the physical and financial hardships they are facing.

Sincerely,

Randal Wyatt

A handwritten signature in black ink that reads "Randal Wyatt". The signature is written in a cursive, flowing style.

March 2023

Attention: Commissioner Dan Ryan and current members of the Urban Forestry Commission
Re: Heritage Tree at 4124 North Mississippi Avenue

Dear Commissioner Ryan and representatives from the Urban Forestry Commission,

It has been my pleasure to work with the Burton family on 4124 North Mississippi Avenue since early 2020 – a property that should present numerous opportunities to contribute to the community while building family wealth. Unfortunately, the heritage tree onsite presents a tremendous impediment to the property's gainful use by the family, and despite our efforts to plan around the tree, it presents ever more urgent challenges as time passes. A recent Elm Leaf Beetle infestation is one example of a challenge that won't be remedied easily or inexpensively. That the tree was not on title at the time the Burtons purchased the property is very troubling. They had no way of knowing the cost of maintaining the tree, nor its detrimental effect on the property's value. Now the tree threatens their ability to remain in ownership of a property that would otherwise be coveted. It is my deepest hope that the City will be an active partner in solving this problem – one that was created by its own policy – and help the Burtons expeditiously address the challenges caused by the tree.

The Burtons have acted in good faith at every step of the process, trying to make the most of an unfortunate situation. I first met Victoria Burton in 2019 and she began to tell me about the property on North Mississippi. At that point, the Burtons had consulted with a few developers to consider options, however they substantially were limited by the tree's large footprint. A little later, I joined to help the family consider smaller improvements to generate revenue while a longer-term vision was developed. Amongst the improvements made were needed upgrades to the house, and repairs to the concrete pathways and retaining wall which had been disrupted by the tree's roots. During this time, the Burtons were participants in Prosper Portland and BDS programs to support BIPOC property owners, and were considering opportunities that would multiply benefits to Portland's communities of color, including a multicultural food cart pod. They have been nimble and thoughtful through the challenges presented by the Covid-19 pandemic, however the escalating cost of the tree and the inability to generate consistent revenue due to the beetle infestation may prove too much for their continued ownership of the property.

Portland has placed priority on supporting property owners of color, particularly African American folks in Historic Albina. Support for the Burtons is in keeping with that objective. Moreover, they have done everything in their power to ensure that their prosperity contributes to community goals, and they are positive contributors in their personal lives. The Burtons are everything that the City wants in its fabric of citizenry. While maintaining a healthy urban canopy and honoring natural history are part of what makes Portland a wonderful place, so too are its people – especially those who have been excluded historically. I hope the City will work quickly and diligently to address the issues caused by the heritage tree, and that the Burtons can continue the fruitful use of their property.

Sincerely,
Michael DeMarco
Genuity Economic Development



C.T. Wells, *Senior Pastor*

DATE: March 20, 2023

To: Roberta Jortner and Adrienne Feldstein – Co-Chairs Urban Forestry Commission

FROM: Bishop CT Wells, Senior Pastor Emmanuel Church & Board Member, (CAAAP) Coalition of African and African American Pastors

RE: 4124 N Mississippi Avenue – Support for Heritage Tree Delisting, Removal

I write to you as the Senior Pastor of Emmanuel Church and Board Member of the Coalition of African and African American Pastors.

I have served as the second-generation Senior Pastor of Emmanuel Church for 22 years. Emmanuel Church has been a historical fixture in the City of Portland for 58 years. Its history of social engagement, social justice and economic development, for the betterment of our community has continued these many years. Founded by Bishop AA Wells, we hold to the conviction that the church and its ministry arms must be actively involved in making our community and city a better place for all its citizens.

This vision and conviction we hold has helped us to understand since the days of reconstruction in America society, that the African American church has played a pivotal role in the development of opportunities for our people. Thus, the multigenerational economic health, wealth and prosperity of our people is essential at this very moment. For Emmanuel, we have worked and continue to put our efforts in to creating a healthy economic marketplace for our people to grow and thrive. We constantly seek concepts and innovation that create movement to improve their lives.

For this and many other reasons, we lend our voice in strong support for Delroy and Victoria Burton and their effort to Delist the Heritage tree that has become an economic detriment to their ability to maximize the potential and value of their property. At present the status of this historical tree designations has rendered this property of little value. And it can't be that the interest of the Burtons be subservient to the interest of those whose only concern is a tree.



C.T. Wells, *Senior Pastor*

Like many Oregonians who have lived in this city all of our lives. I grew up near the Burton's property. I have come to appreciate the efforts to create green spaces that enhance and contribute to the livability of our city. However, in these cases, this tree, and its massive footprint, sprawling root system and out of control growth and many other adverse factors, has become unmanageable and an extreme hazard to the economic viability of the property.

I need not rehearse all the adverse effects and years of financial resources the Burton family has devoted to maintaining their property in spite the presence of the heritage tree.

In our community, we take it very seriously when the concerns of a member of our family is not given due consideration. This has been a battle that the Burton's have engaged for many years. And it is of great concern particularly when it comes with such dire economic consequences.

I have driven by the property many times and come away with the view that the mere massive size of the heritage tree makes it no longer viable. Its scale in relation to the total lot dimension is far out of proportion. **IT MUST BE REMOVED!**

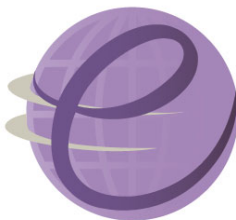
God forbid adverse weather conditions converge on the area surrounding the tree. With its massive branches and structural base, it could cause enormous damage, and the economic burden could fall to the Burtons. Particularly being situated in such a dense heavily populated area of the city. So, before that happens, let's take action now.

I am convinced, for that reason alone the Burton's request for the total decommissioning of the tree is warranted. With the consideration that it be replaced with a tree that is manageable, compliments the property and restores its economic viability.

Lastly, to my knowledge, the Burton's are the last of an ever-shrinking African American presents with ownership on Mississippi and in the surrounding neighborhood. I do not want to see their property uninhabitable due to this massive tree and the hazard and harm it presents.

I strongly request that this historical heritage designation be overturned by you, Roberta Jortner and Adrienne Feldstein, the Co-Chairs of the Urban Forestry Commission.

EMMANUEL CHURCH



C.T. Wells, *Senior Pastor*

Should you have any questions or concerns and would like to dialogue with me directly, please feel free to do so.

Bishop CT Wells
Emmanuel Church
Senior Pastor

Wells@emmanuelpdx.com
503-544-7567

March 2023

Attention: Commissioner Dan Ryan and current members of the Urban Forestry Commission
Re: Heritage Tree at 4124 North Mississippi Avenue

Dear Commissioner Ryan and representatives from the Urban Forestry Commission,

It has been my pleasure to work with the Burton family on 4124 North Mississippi Avenue since early 2020 – a property that should present numerous opportunities to contribute to the community while building family wealth. Unfortunately, the heritage tree onsite presents a tremendous impediment to the property's gainful use by the family, and despite our efforts to plan around the tree, it presents ever more urgent challenges as time passes. A recent Elm Leaf Beetle infestation is one example of a challenge that won't be remedied easily or inexpensively. That the tree was not on title at the time the Burtons purchased the property is very troubling. They had no way of knowing the cost of maintaining the tree, nor its detrimental effect on the property's value. Now the tree threatens their ability to remain in ownership of a property that would otherwise be coveted. It is my deepest hope that the City will be an active partner in solving this problem – one that was created by its own policy – and help the Burtons expeditiously address the challenges caused by the tree.

The Burtons have acted in good faith at every step of the process, trying to make the most of an unfortunate situation. I first met Victoria Burton in 2019 and she began to tell me about the property on North Mississippi. At that point, the Burtons had consulted with a few developers to consider options, however they substantially were limited by the tree's large footprint. A little later, I joined to help the family consider smaller improvements to generate revenue while a longer-term vision was developed. Amongst the improvements made were needed upgrades to the house, and repairs to the concrete pathways and retaining wall which had been disrupted by the tree's roots. During this time, the Burtons were participants in Prosper Portland and BDS programs to support BIPOC property owners, and were considering opportunities that would multiply benefits to Portland's communities of color, including a multicultural food cart pod. They have been nimble and thoughtful through the challenges presented by the Covid-19 pandemic, however the escalating cost of the tree and the inability to generate consistent revenue due to the beetle infestation may prove too much for their continued ownership of the property.

Portland has placed priority on supporting property owners of color, particularly African American folks in Historic Albina. Support for the Burtons is in keeping with that objective. Moreover, they have done everything in their power to ensure that their prosperity contributes to community goals, and they are positive contributors in their personal lives. The Burtons are everything that the City wants in its fabric of citizenry. While maintaining a healthy urban canopy and honoring natural history are part of what makes Portland a wonderful place, so too are its people – especially those who have been excluded historically. I hope the City will work quickly and diligently to address the issues caused by the heritage tree, and that the Burtons can continue the fruitful use of their property.

Sincerely,
Michael DeMarco
Genuity Economic Development