



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **12<sup>TH</sup> DAY OF OCTOBER, 2016** AT 9:30 A.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Fritz and Novick, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Denis Vannier, Deputy City Attorney; and Jason King and Mike Cohen, Sergeants at Arms.

Item No. 1128 was pulled for discussion and on a Y-5 roll call, the balance of the Consent Agenda was adopted.

The meeting recessed at 9:56 a.m. and reconvened at 10:02 a.m. in Rose Room, City Hall.

The meeting recessed at 11:25 a.m. and reconvened at 11:31 a.m.

<b>COMMUNICATIONS</b>		<b>Disposition:</b>
<b>1118</b>	Request of David Gwyther to address Council regarding 10 <sup>th</sup> and SW Yamhill Parking Garage project (Previous Agenda 1094)	<b>PLACED ON FILE</b>
<b>1119</b>	Request of Douglas Peterson to address Council regarding 10 <sup>th</sup> and SW Yamhill Parking Garage project (Previous Agenda 1095)	<b>PLACED ON FILE</b>
<b>1120</b>	Request of Fredric Alan Maxwell to address Council regarding inviting the USS Zumwalt to Portland (Communication)	<b>PLACED ON FILE</b>
<b>1121</b>	Request of Adam Brunelle to address Council regarding Lents Strong community action plan (Communication)	<b>PLACED ON FILE</b>
<b>1122</b>	Request of Craig Rogers to address Council regarding safety on the streets (Communication)	<b>PLACED ON FILE</b>
<b>1123</b>	Request of Charles Ormsby to address Council regarding Terwilliger Blvd Sewer Project (Communication)	<b>PLACED ON FILE</b>
<b>1124</b>	Request of Laura Struble and Oxana Oleynik to address Council regarding educational exchange with Portland's Sister City in Russia (Communication)	<b>PLACED ON FILE</b>

<b>TIMES CERTAIN</b>		
<b>1125</b>	<b>TIME CERTAIN: 9:45 AM</b> – Proclaim October 2016 to be Filipino American History Month in Portland (Proclamation introduced by Mayor Hales and Commissioner Fish) 15 minutes requested	<b>PLACED ON FILE</b>
<b>1126</b>	<b>TIME CERTAIN: 10:00 AM</b> – Accept the Office of Neighborhood Involvement FY16-17 Housing Emergency Community Engagement Plan (Report introduced by Commissioner Fritz) 20 minutes requested	<b>CONTINUED TO OCTOBER 19, 2016 AT 9:30 AM</b>
<b>1127</b>	<b>TIME CERTAIN: 11:00 AM</b> – Appeal of Portsmouth Neighborhood Association against the Hearings Officer’s Decision to approve the application of Bridge Meadows for a Conditional Use and Adjustment with conditions for New Meadows, a proposed group living facility, at 8710 N Dana Ave (Findings introduced by Commissioner Saltzman; Previous Agenda 1032; LU 15-273480 CU AD) 10 minutes requested  <b>Motion to adopt Findings:</b> Moved by Fish and seconded by Fritz. (Y-4)	<b>FINDINGS ADOPTED</b>
<b>1128</b>	<b>CONSENT AGENDA – NO DISCUSSION</b> Reappoint George Fetzer to the River Community Advisory Committee for a term to expire May 21, 2019 (Report introduced by Mayor Hales and Commissioner Saltzman)  <b>Motion to accept the report:</b> Moved by Novick and seconded by Fritz. (Y-4)	<b>CONFIRMED</b>
<b>1129</b>	<b>Mayor Charlie Hales</b> Extend term of Street Closure Program in Old Town/Chinatown for a period of one year (Second Reading Agenda 1098) (Y-4)	<b>188026</b>
<b>*1130</b>	<b>Bureau of Planning &amp; Sustainability</b> Adopt a Waste Reduction Plan and accept and authorize an Intergovernmental Agreement with Metro to receive Metro Waste Reduction Challenge Funds for the Recycle at Work Program in FY 2016-17 and 2017-18 (Ordinance) (Y-4)	<b>188027</b>
<b>*1131</b>	<b>Office of Management and Finance</b> Pay claim of Teri Briggs in the sum of \$35,000 involving the Water Bureau (Ordinance) (Y-4)	<b>188028</b>
<b>*1132</b>	Pay claim of Philippa Brunsman in the sum of \$8,007 involving the Bureau of Environmental Services (Ordinance) (Y-4)	<b>188029</b>

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<p><b>*1133</b></p>	<p>Authorize a three-year lease with American Property Management for Portland Parks and Recreation to lease space at 305 NE 102<sup>nd</sup> Ave known as the Multnomah Plaza Office Building through September, 2019 estimated at \$75,000 annually (Ordinance) (Y-4)</p>	<p><b>188030</b></p>
<p><b>*1134</b></p>	<p>Authorize a one-year lease extension for \$12,925 with the Oregon School Boards Association and the League of Oregon Cities for the Office of Government Relations to lease space at 1201 Court St, SE, Suite 400, Salem known as the Local Government Center through June 30, 2017 (Ordinance) (Y-4)</p>	<p><b>188031</b></p>
<p><b>*1135</b></p>	<p>Authorize a contract with Convergence Architecture for 1900 Building Restroom Upgrades for a total not-to-exceed amount of \$157,508 (Ordinance; Contract No. 30005465) (Y-4)</p>	<p><b>188032</b></p>
<p><b>*1136</b></p>	<p>Authorize a grant agreement with Historic Portland Public Market Foundation dba James Beard Public Market for \$200,000 to implement a program for a permanent, year-round public market in Portland (Ordinance) (Y-4)</p>	<p><b>188033</b></p>
<p style="text-align: center;"><b>Commissioner Steve Novick</b> <b>Bureau of Transportation</b></p>		
<p><b>1137</b></p>	<p>Rename a segment of NE Couch Ct and name a segment of unnamed public right-of-way as NE Couch St (Second Reading Agenda 1103) (Y-4)</p>	<p><b>188034</b></p>
<p><b>1138</b></p>	<p>Authorize an Intergovernmental Agreement with the Oregon Department of Transportation for inspections of City-owned highway tunnels (Second Reading Agenda 1104) (Y-4)</p>	<p><b>188035</b></p>
<p style="text-align: center;"><b>Commissioner Amanda Fritz</b> <b>Portland Parks &amp; Recreation</b></p>		
<p><b>*1139</b></p>	<p>Authorize grant agreement with the Rosewood Initiative in the amount of \$55,000 to fund Community Center Director position and operational costs (Ordinance) (Y-4)</p>	<p><b>188036</b></p>
<p style="text-align: center;"><b>REGULAR AGENDA</b>  <b>Mayor Charlie Hales</b> <b>Office of Management and Finance</b></p>		
<p><b>*1140</b></p>	<p>Authorize purchase of replacement Police Patrol Vehicles at \$3,243,864 (Ordinance)</p>	<p><b>RESCHEDULED TO OCTOBER 19, 2016 AT 9:30 AM</b></p>

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<p><b>1141</b></p>	<p>Authorize water revenue bonds to finance water system additions and improvements and to refund water revenue bonds (Ordinance)</p>	<p><b>PASSED TO SECOND READING OCTOBER 19, 2016 AT 9:30 AM</b></p>
<p><b>1142</b></p>	<p>Ratify a successor collective bargaining agreement between the City and the Portland Police Association relating to the terms and conditions of employment of represented employees in the Portland Police Association bargaining unit (Second Reading Agenda 1109) (Y-3 Fish, Fritz, Hales; N-1 Novick)</p>	<p><b>188037 AS AMENDED</b></p>
<p><b>*S-1143</b></p>	<p>Authorize a contract with Labyrinth Solutions, Inc. for implementation services for SAP Enterprise Asset Management at a not-to-exceed amount of \$1,850,000 (Previous Agenda 1107) 10 minutes requested Rescheduled to October 12, 2016 at 3:00 p.m. <b>Motion to accept substitute ordinance:</b> Moved by Fritz and seconded by Fish. (Y-4) (Y-4)</p>	<p><b>SUBSTITUTE 188041</b></p>
<p style="text-align: center;"><b>Commissioner Steve Novick</b> <b>Bureau of Transportation</b></p>		<p style="text-align: center;"><b>188038</b></p>
<p><b>1144</b></p>	<p>Vacate a portion of an unnamed alley between N Midway Ave and N Columbia Blvd subject to certain conditions and reservations (Second Reading Agenda 1110; VAC-10107) Rescheduled to October 12, 2016 at 3:00 p.m. (Y-4)</p>	
<p style="text-align: center;"><b>Commissioner Amanda Fritz</b> <b>Portland Parks &amp; Recreation</b></p>		<p style="text-align: center;"><b>RESCHEDULED TO OCTOBER 19, 2016 AT 9:30 AM</b></p>
<p><b>*1145</b></p>	<p>Authorize the acquisition of 12 acres of real property on NW 4<sup>th</sup> Place, adjacent to Forest Park, for \$860,000 to be used for Park purposes (Ordinance) Rescheduled to October 12, 2016 at 3:00 p.m.</p>	
<p style="text-align: center;"><b>Commissioner Dan Saltzman</b> <b>Portland Housing Bureau</b></p>		<p style="text-align: center;"><b>RESCHEDULED TO OCTOBER 19, 2016 AT 9:30 AM</b></p>
<p><b>*1146</b></p>	<p>Extend contract with Housing and Development Services, Inc., for licensing and maintenance of the Portland Housing Bureau's core software system and increase compensation in amount of \$309,602 (Ordinance; amend Contract No. 30002366) Rescheduled to October 12, 2016 at 3:00 p.m.</p>	
<p><b>1147</b></p>	<p>Authorize an Intergovernmental Agreement with the City of Gresham for \$928,067 for the HOME Investment Partnership Program (Ordinance) Rescheduled to October 12, 2016 at 3:00 p.m.</p>	<p style="text-align: center;"><b>RESCHEDULED TO OCTOBER 19, 2016 AT 9:30 AM</b></p>

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<b>1148</b>	Approve application under the Multiple-Unit Limited Tax Exemption Program for Koz 16th and Marshall located at 1015, 1033 and 1039 NW 16th Ave (Second Reading Agenda 1114) Rescheduled to October 12, 2016 at 3:00 p.m. (Y-4)	<b>188039</b>
<b>1149</b>	Approve application under the Multiple-Unit Limited Tax Exemption Program for Koz 2211 SW 4th located at 2211 SW 4th Ave (Second Reading Agenda 1115) Rescheduled to October 12, 2016 at 3:00 p.m. (Y-4)	<b>188040</b>

At 11:57 a.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **12<sup>TH</sup> DAY OF OCTOBER, 2016** AT 3:00 P.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Fritz and Novick, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Heidi Brown, Deputy City Attorney; and John Paolazzi, Sergeant at Arms.

<p><b>1150</b>      <b>TIME CERTAIN: 2:00 PM</b> – Recognize that irregular, unpredictable work schedules negatively affect businesses, employees and the families of employees, and encourage employers to review their worker scheduling practices and consider changes that ensure workers have predictability and the chance to work the hours necessary to earn a full, livable paycheck (Resolution introduced by Commissioner Novick) 1 hour requested Rescheduled to 3:00 pm. (Y-4)</p>	<p><b>Disposition:</b></p> <p><b>37238</b></p>
<p><b>1151</b>      <b>TIME CERTAIN: 3:00 PM</b> – Adopt the City of Portland’s Vision Zero Action Plan, Saving Lives with Safe Streets, developed by the Vision Zero Task Force (Ordinance introduced by Commissioner Novick) 2 hours requested</p>	<p><b>RESCHEDULED. DATE TO BE ANNOUNCED</b></p>

At 4:27 p.m., Council recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS **13<sup>TH</sup> DAY OF OCTOBER, 2016** AT 2:00 P.M.

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fritz, Novick and Saltzman, 4.

OFFICERS IN ATTENDANCE: Karla Moore-Love, Clerk of the Council; Lauren King, Deputy City Attorney and Mike Cohen and Jim Wood, Sergeants at Arms.

<p><b>1152</b>      <b>TIME CERTAIN: 2:00 PM</b> – Amend the Official City Zoning Map, Planning and Zoning Code and Transportation System Plan to carry out Portland’s 2035 Comprehensive Plan; establish a new Community Involvement Program and Committee; amend related codes, the 2035 Comprehensive Plan and Plan Map to coordinate policies and programs (Previous Agenda 1117; amend Code Titles 3, 17, 33 and Ordinance Nos. 165851, 177028, 187832) 3 hours requested</p>	<p><b>Disposition:</b></p> <p><b>CONTINUED TO NOVEMBER 17, 2016 AT 2:00 PM TIME CERTAIN</b></p>
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At 5:03 p.m., Council adjourned.

**MARY HULL CABALLERO**  
Auditor of the City of Portland



By Karla Moore-Love  
Clerk of the Council

For a discussion of agenda items, please consult the following Closed Caption File.

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

This file was produced through the closed captioning process for the televised City Council broadcast and should not be considered a verbatim transcript.

Key: \*\*\*\*\* means unidentified speaker.

**OCTOBER 12, 2016 9:30AM**

**Hales:** Welcome to the October 12 meeting of the Portland city council, please call the roll.

**Novick:** Here **Fritz:** Here **Fish:** Here **Saltzman:** **Hales:** Here

**Hales:** Welcome, everybody. We have council communication items up front which we will take first and then we have a couple of time certain items and then to the regular agenda. If you are here to speak on the regular agenda, you can let our clerk know for the items where we are taking the testimony and she will get you on the list. We don't ask for your address, only give your name if you are here for the first time but we need your name for the record. Rules of decorum, everybody knows those but let me reiterate them. We want to make sure in that everybody is heard, when someone is speaking don't interrupt heard whether they are a fellow citizen or a member of the council. If you do interrupt or cause a disruption you will be asked to leave and if you don't leave you will be excluded from the chambers. So please let's make sure that we respect each other's opinions in this room. If you are listening to someone testify and you agree with their point of view, feel free to give them a thumbs up or if you disagree, feel free to give them a hand gesture to the negative but we ask that we not have Applause or demonstrations in the room, we make exceptions for students and visiting dignitaries so if you are an honored citizen, the subject of the proclamation you might get a round of applause from your Portlanders. The consent calendar is before us.

**Moore-Love:** We have had a request to pull 1128.

**Hales:** 1128, ok. So we're pulling off the consent calendar. Anything else? All right. Let's take 1118.

**Item 1118.**

**David Gwyther:** Mr. Peterson and I are together.

**Hales:** He can come up with you.

**Gwyther:** He is going to go first.

**Hales:** Read 1119 and they can do this as a team.

**Item 1119.**

**Doug Peterson:** My name is Doug Peterson, and I own Peterson's convenience stores. We've been there in the 10th and Yamhill parking garage for 32 years, been a very successful business. Very popular with customers. Over 700 customers per day. We're averaging \$3395 per day in sales, just as an aside, over \$13,000 in lottery sales a month. It's at the max stop. It's finally focused on the max stop. It's a location that is, that would be exceedingly hard to duplicate because the focus is the transit customers, and that's where we get our business. The big remodel going on or going to be going on, \$25 million or more in spending, they have told all tenants, they have to leave sometime next year. No guarantee they will come back. They want to retenant the building. We've been there 32 years and very successful. We would like to stay, and if there is a way the city could help us, I would appreciate it very much. We do have -- excuse me. Next year tri-met is going to a card system, where people have to have a plastic card magnetic card that value is added, they have to buy that card, and you know, put money on the card to be able to ride the max or any other bus. We will be selling the cards and have the facilities to add value to the cards. We are right there at the max stop. I understand that the max will stay open, it



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will be open during the construction. We would like to somehow stay there, be there during a good deal of the construction because we are in the middle of the block where they are not doing a lot of work. The major work is on the corners. So we would like to stay and be there to help the customers on this and to serve the customers with the change and such, and I appreciate any help that we can get. Thank you.

**Hales:** Thank you. Good morning.

**Gwyther:** I am David gwyther. I am a lobbyist for mr. Peterson. This has been a very frustrating experience because for example Just -- trying to get a meeting with commissioner novick since the parking garage is, up until recently, technically controlled by the pbot group. There is a master lease, I understand, in the mayor's office that hasn't been signed. I am not sure, maybe it has, between the pbot and Portland development commission. The plans to change there have been ongoing for a long period of time. There's been no input from the tenants. We've been told to move, given lists of places to move to but as we all know in real estate, there is three variables, location, location, and location. This particular one for a convenience store is ideal. Also they are going to keep the parking garage open, so there is going to be a lot of traffic from that. The construction workers like our, when they were building the park west building. We had construction workers, we opened at 5:30 rather than 6:00 because they like energy drinks and burn up a lot of calories every day, and a candy bar for them is nothing. They can burn that up in an hour, and so now in terms of the precedent, you see in the packet that I had passed out, the first page is an Oregonian article where john oh., the fellow who owns the cafe Portlandia, has gotten exactly the concessions that Mr. Peterson wants. Now it's a similar type of business, serves a lot of people with small checks every day. I think that the average check is under \$5 and Mr. Oh., they are going to allow to stay while they are doing the Portland building which is a bigger project than ours, more complicated. He also has the first right of refusal to come back. So we would like something similar. I've been trying to be in contact with Fred miller's office, the chief administrator but have been referred back to the Portland development commission even though they are not, actually, in charge, technically yet. The second page is the architecture for this. It's dated October 30, 2015 so to get to this report, it's a small report. There must have been a lot of work done, and they were talking about a higher quality of tenants for more rent. Well, they have never asked the existing tenants for more rent. They just assumed that they either can't or won't pay it. The second, or third page is an update on the seismic issues. Since the report by the architecture firm that says that there is not a problem there, they can get a building permit, there's been significant increase in the probability of a earthquake in the next 50 years, and the last page is the strategic overview of the Portland development commission that mentions job creation, it could destroy 50 to 100 jobs, which is what getting rid. Tenants here will do. And add 50 or 100 jobs, and you have a net zero.

**Hales:** Thank you very much. Ok. 1120, please.

**Item 1120.**

**Hales:** Is he here? We'll take him later.

**Item 1121.**

**Moore-Love:** He's here.

**Hales:** Good morning. Good morning and welcome.

**Nathan Jones:** Thank you. I am Nathan Jones, a member of the local nonprofit and founder of the local nonprofit Green Lents and founder of the livable lents program, a program to create a more inclusive and community-based vision for the future of Lents. I am here to talk to you about my experience and tell you about our community action plan. Some of your staff have rsvp'd to our lunch event later today at the Team events center on 92nd and foster. For the rest it's not too late. It starts at noon. I moved to Lents in 2011

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because I was invited to help with community engagement. 99 years after the city of Lents was annexed into Portland. I worked on outreach for the foster streetscape and the Lents integration partnership and the Lents five-year action plan. With a population of over 20,000 and nearly 40% of the households in Lents speaking the language other than English, all you have to do is glance at the number and demographics that are engaged and you will see none of these have more than scratched the surface. Folks in Lents who have been around longer than me will tell you that this is nothing new. After over 15 years of being an urban renewal area for the city of Portland Lents still is devoid of any public infrastructure. The folks who have been around since the 1980s will tell you About 205 and what Lents was like before that freeway was built on top of the main street. Some people have been in Lents longer than that will tell you older tales of broken trust and negative. There have been too many plans and not enough action. I have come to think of the city efforts in Lents as one might look at rain in the desert. You can see it in the sky falling towards the ground but most of it evaporates before it makes the impact. I am thrilled that Green Lents is part of a growing network of community leaders and organizations, tackling the challenge of including their neighbors and developing livable neighborhood for all. Our organization has created a community tool library, community orchard and series of habitats, stewards of the watershed and helped to add more than 20 little free libraries to the neighborhood. The people of Lents have shown me that it doesn't matter where you are starting or what you start with. When people come together, our commonality is help us to connect and the differences we bring to the table provide us an opportunity to share something unique. Lents strong is an example. At this point green Lents and its partners have engaged 1400 Lents community members in developing a vision. We have served the residents in six languages up to an hour each. Each person shared their experiences, hopes and ideas About the steps forwards. We engaged two dozen stakeholder organizations ranging from the bureaus like the bes and pdc, pbot and the Portland housing bureau. To community-based organizations, like the Asian Pacific American network of Oregon, and Rose cdc, wisdom of the elders. The Lents neighborhood association. The results of the plan is already happening and firmly based on the experiences and aspirations of lentils as we like to call ourselves. As well as connected to a multitude of organizations who are each contributing in their own unique way, I am here today because it's time to invite you to join me.

**Fish:** Your time is up but I have one question. Thank you for joining us. And you mentioned you've been working with city bureaus to work on the plans. Are you getting the participation you need to be successful?

**Jones:** It's increasing but we could use more. I think that --

**Fish:** Just a tip. So we are in charge of different bureaus you mentioned. And thank you for the invitation to the luncheon. But if you run into any headwinds, you can just email any one of us and just let us know what your experience has been and if there is something that we can do better or differently.

**Jones:** I hope you will consider us as a guide for your plans and efforts.

**Hales:** We appreciate your leadership and I know some of The staff will join you at noon today but also look forward to seeing you for the ground-breaking on the 23rd at noon. So in terms of having to reach the ground and sprout something.

**Jones:** Been a long time.

**Hales:** I am looking forward to that celebration and thanks to you and other neighborhood leaders who have been keeping the flame all these years.

**Jones:** Absolutely.

**Hales:** Thank you very much. Ok. 1122, please.

**Item 1122.**

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**Hales:** Good morning.

**Craig Rogers:** Good morning. I am Craig Rogers. I have got to ask the question, when you first took office is the street safer now than then. My answer is no; they are more dangerous. Especially if I am a pedestrian. A bicyclist. At least if I am driving the car I have got the metal around me but it's dangerous for everybody. I am here in part because Fallon Smart's mother said something larger needs to be done so our children are not harmed. That's dangerous out there. You go and take a walk, Nick, I heard you say about when you went to step off that curb and so forth, and your experience there, and you know for out there moving around we know what it's like. Whether it's distracted drivers or impaired drivers, when I turn that key of the car, I accept the responsibility, and it's a big one. So I think that at this point you are leading from behind, and I will tell you why. It's been my experience depending, and you all know how many of these meetings I've been down here, the reason you are leading from behind is because you spent so much time with that street fee tax at no vote, no recite, no sunset, and you could spin on anything and go on. Why would anybody do something like that? It's like something from the Stalin era. So I think we need to start making more prudent decisions down here and be fiscally responsible, too. One last thing you cannot make a good landing out of a bad approach. When you came into office you had five priorities in descending order, develop, develop, develop, develop, and I will give you an example of that, when I went into the rollout of vision zero, at the end of it you did not have any money. And down the road you paid twice the price, twice market value. It was 13 and you paid 26, what's that about? The rollout, there was Allister three weeks before had two legs. Now down to 1.5, and that's all I have to say. And you know what, later on today there is going to be vision zero down here. You need to come up with big bucks. You need to open a piggy bank and support it with more than words.

**Hales:** That's at 3:00 this afternoon.

**Item 1123.**

**Moore-Love:** He called and is not able to make it.

**Item 1124.**

**Hales:** 1124.

**Laura Struble:** Good morning. I am Laura Struble, and a teacher at the Russian teacher at Franklin High School, and this is Oxana Oleynik. She is an English teacher in Russia. We have with us three of her students, and one of mine. We have Nadia Bragina, and Kataya Boichuk, and Zurab Khidirov, and one of my students Kai Reeves and Natalia from the Sister City Association, and I want to say thank you very much for this opportunity to be here and speak with the council and the city and the structure of the city. Over the years for its support.

**Oxana Oleynik:** I am Oxana Oleynik, an English teacher from Russia, and this has been my lifelong dream to visit Portland. This is not the first exchange in the history of this school. I've been a student and then a teacher right now. We had a long exchange between the Khabarovsk school number five and the Lincoln High School here in Portland. For 11 years with Mr. Alan Alis while traveling with his students to Russia and inviting us -- well, not myself but the other students to be part of the life in Portland. So it has been a very interesting kind of experience, and that is very important for the kind of relations on the level of just common people, I should say. I am thankful for that kind of opportunity, like fostering the relationships with Russia and America and the students. Thanks.

**Struble:** I would like to add we are very grateful at Franklin High School to have the exchange. We just restarted the exchange, which had been going on for so long and then when the federal funding dried up, it ended. We started this exchange program again last year, so this is the second time that we are hosting students from Khabarovsk, and I was

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able to take students from Portland to Khabarovsk last May, and I will be doing that again in the fall. And as oxana oleynik said, it is very good not only in terms of language acquisition for her students to practice their English here but for mine to practice the Russian there. And also to meet from the other --

**Hales:** Folks, we have visitors from Russia here and a teacher from franklin high school, could we let her finish please. Go ahead.

**Struble:** Thank you. And to me, learn about other cultures, there are many students from franklin high school who are happy to meet students from this culture who are also recognized for their people from other cultures here in Portland, and we recognize what is going on -- excuse me, I am speaking to you, also.

**Hales:** Folks.

**Struble:** Thank you. Can I include you? So we did get to see a bit of the demonstration in front of the building, and I think that that is a very nice, but if you could let me speak without being interrupted that would be really nice.

**Hales:** Folks you've been asked by a fellow citizen to let her speak, are we going to let her speak? Are we going to let her speak? No, we're trying to listen to this woman. Go ahead, please.

**Struble:** And it was a black woman who introduced us and took us around and let us see the demonstration this morning.

**Hales:** I am really sorry you are having to deal with this.

**Struble:** And I appreciate that. I am not against you.

**Hales:** Folks.

**Struble:** I didn't make you wait.

**Hales:** Go ahead.

**Struble:** We are very happy to be here, and I think that it's important to have discussion and exchange on all levels within the city, within the country. Right now this is a time when our government, the u.s. Government and the Russian government are not agreeing very well and just as it is good for citizens here, to understand each other, it is very good for citizens across the country to learn to get along and to learn more about each other, and that's what this exchange is about. And we are very grateful to the city for supporting this, to the sister city association, for making this possible. So we are very grateful to be here and city hall, and it's good for our visitors to see the demonstrations and see what is happening with democracy here, so thank you very much.

**Hales:** Thank you both. Thanks very much. And welcome to the students. Again we suspended the rules and say thank you for the students and teachers. [applause] enjoy your time at Portland. Let's move on then, please, to, to see if there Maxwell is here. He's not. So then time to move onto the consent calendar. We have had one item removed. Let's take a vote on the balance of the consent calendar, please.

**Novick:** Aye. **Fritz:** Aye. **Fish:** Aye.

**Hales:** Aye. [gavel pounded] ok let's move onto 1125.

**Item 1125.**

**Hales:** Commissioner Fish.

**Fish:** Jamie lim would you come forward please. Today we are honored to celebrate the Filipino American history month. The Filipino American community in Portland has enriched our city's culture. There are as many as 30,000 Filipino Americans who live in the region. We are proud to have with us today mayor, Jamie lim and guest.

**Hales:** Folks, this is a really important moment in our community. I would ask that you show some courtesy to these folks who are here.

**Fish:** Please show some respect to our guests.

**Hales:** Go ahead.



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**Hales:** I will try to do this one time, folks, you are creating a disruption. If it continues we will have to clear the chambers. Please let these folks speak. They are citizens of our city who are here to speak today. This is your warning. All right, we are recessed.

**At 9:56 a.m. council recessed.**

**At 10:02 a.m. council reconvened in the Rose Room. Note, Clerk's archived audio recording of the remainder of this meeting is from the mp3 recorder in Council Chambers and includes background comments (not captioned) of those in the Chambers.**

**Hales:** we will resume, we had to relocate because it was impossible for Portlanders to speak to their city council so our apologies that that happened while you were here but now we can get back to the work of the city and the discussion so I will turn it over to commissioner Fish to introduce this item.

**Fish:** My introduction was so compelling we'll give it twice. The mayor will read a proclamation, and I am just here to welcome Jamie lim and to thank him for joining us today. We're honored to have you help us celebrate Filipino American history month, and Jamie, we know how many, in how many ways this community has enriched our city. You epitomized many of the blessings of the community. You are a leader in the community. Both Filipino American and the Asian American community, and in the greater Portland community. Jamie lim has lived here, colleagues, since 1963, and I think that we can thank the u.s. Navy because when he was finished with his service he came back to a port city on the coast, named Astoria. He decided to make Oregon his home. Of course we know him formally as the publisher of the Asian reporter and award-winning newspaper with a national reach. He's also, in his free time, the president of the Philippine American chamber of commerce here in Oregon and recently was elected to the national federation of Philippine American chambers of congress. He's an entrepreneur, an engineer, a publisher, a dad and the mayor will read the proclamation.

**Hales:** Whereas Filipino Americans make up one of the largest ethnic groups in the united states with twenty five thousand residing in the state of Oregon; And whereas the Filipino American National Historical society established Filipino American History Month in 1988, communities throughout the United States and its territories have since celebrated Filipino American history month every October not only to observe the Filipino heritage, but to recognize the social, cultural, intellectual and economic contributions of the Filipino Americans in this country and in Oregon; And whereas in November 2009 the United States congress passed the resolution ( H. RES.780) officially recognizing October as Filipino American history month; and whereas it's necessary to instill in our youth the importance of education, history, and ethnicity in creating role models; establishing a proud cultural identity; and producing exceptional citizens of this nation; And whereas this is a time to reflect, honor and learn about and appreciate the historic and continuing contributions of Filipino Americans to the state of Oregon; And whereas to celebrate and honor Filipino American history month the Philippine American chamber of commerce of Oregon will present the 2016 Oregon Philippines Historama in our states capital of Salem on October 29 2016. Now therefore I Charlie hales mayor of the city of Portland, Oregon the "city of roses" do hereby proclaim October 2016 to be Filipino American history month in Portland and encourage all residents to observe this month. Let's hear it. [applause]

**Jamie lim:** I am the chair of the Filipino American chamber of commerce.

**Hales:** Come and join him.

**Hales:** Wonderful.

**Lim:** So anyway, grab a chair, gentlemen.

**Hales:** Welcome, everyone, nice to have you here.

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**Lim:** First I would like to thank the council and especially mayor Hales. Commissioner Fish. Amanda, been around a while. Novick.

**Fish:** A compliment.

**Fritz:** Thank you.

**Lim:** She's been around a while. I was going to say there is about 30,000 Filipinos around here. The first Filipino came to the United States back in 1587. They were part of this galleon trade, when the Spaniards went to the Philippines after a while they started making galleon, wooden boats they used for trading between the Philippines and Mexico. And the Philippines, of course, many ended up jumping ship and settling here in the United States. That's a long time ago. That's even before the pilgrims came to America. A while back. So we have the past 50 years probably, seeing the most of the Filipino immigrants come after the 1965 immigration signed by President Johnson. And before that the first batch of Filipinos that came to America were the people that were part of the American colonization administration. Many of them were teachers that came to the Philippines and married Filipinos, and the second batch of both Filipinos came after -- or during that war, actually. Many of these people were merged into the U.S. Army and were part of General MacArthur's army and considered citizens of the United States. And of course the third, the fourth batch, of course, was people like me who came, also, because as part of the treaty with the United States and the Philippines, they were allowed to recruit people like me. I was one of those. So I came, you know, I was in the Philippines, came here by boat. It was a long trip, by the way. And anyway got here, and qualified for the G.I. Bill, went to school here at Portland State University and that's it. Engineering, business, after a while I started my newspaper which was back in 1986, started the paper. And we're still here. So I guess, you know, it's not easy. We're working on it. So anyway what I was saying was, the Filipinos, and you have a lot of them working here within the city. I know a lot of them. Like Linda here is one of them. I was writing a few things. As a group, immigrants from the Philippines are better educated. More likely they more likely have strong English language skills, and more likely to be naturalized citizens. More likely to enter the refugee for asylum seekers. Notable are all the employees that you have for the city of Portland. So in honor of the service of the Filipino, American History Month, our chamber is presenting a, what we call the Philippines Historama, the history of the Philippines that, basically, goes from the time that Magellan came in 1521 and up to the present, which is 400 years' worth of history. And we're trying to encourage everybody to come and see us. It just happens that the best place that we could find to show this, is in Salem. It's called a historic Elsinore Theatre. It's a beautiful theatre. It's really beautiful. And so we're trying to promote it. We have it scheduled to show on August, excuse me, October 29 in Salem. It starts at 5:00. And we have a few tickets, which I would like to give to the council. If some of you are able to go, we would like to invite you.

**Hales:** Thank you very much.

**Lim:** Let me know and we will get tickets still available. So having said that, I would like to ask folks to say a few words.

**Hales:** Welcome. Whole would like to go next.

**Hales:** A little closer to the mic.

**\*\*\*\*:** I am very proud of my heritage, my culture, and thank you for allowing the city to acknowledge it today. Also this month I believe Filipino lives matter, so that's important to us. Thank you.

**Hales:** Thank you. Welcome.

**Hales:** Push the button there. There we go.

**\*\*\*\*:** I just want to say a few words and thank you for giving us the honor and the time. You have had a lot of other items on the agenda today. This is very important for us, a

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small segment of the community that we are a part of, and we're very proud of our heritage. We are very proud of the culture that we have, and we want to bring it and share it with others and hope that it will also build and bridge us with the other communities.

**Hales:** Thank you. Slide that whole thing closer if you would like. It's portable.

**Lynda Viray, Portland Bureau of Transportation:** I am Lynda Viray, with the bureau of transportation. Thank you again for having the acknowledgment for the Philippine American history month. The Filipino city employees affinity group and we are going to have an event on Friday, October 14, in the Portland building auditorium from 12:00 to 1:30, and Jamie will be our guest speaker and we'll be having some Filipino food and martial arts and dancing and we hope you can join us and thank you again.

**Lim:** A good place to have lunch.

**Hales:** There you go.

**Polo Catalani:** Good morning mr. Mayor. Commissioner Fritz. Thank you always for taking care of us particularly nick Fish and your wife for your kindness to this community.

Commissioner novick, thank you, and welcome aboard. We hope to see you for another 44 years. I am always so grateful to Jamie lim for what he's done for Portland. I think that commissioner Fish mentioned how he'd been a leader with the Filipino Americans but more to the point he's made English the lingua franca of Asian Oregonians, and I am proud to say that we did our 1,000th column in the Asian reporter earlier this year. I've been writing since 1992. I bring this up because in my work with him in the Philippines in Vietnam, in Thailand, some good, some bad and some ugly, and we've been able to reinforce the place of Oregon on a world map. This pioneer has done what Chinese Oregonians have done, Mexican, Vietnamese, Portlanders, and that is the energetic circulation of people and money and ideas between Portland and their hometowns. None has done it better than Jamie lim. You mentioned him being an Entrepreneur. A philanthropist. He's one of those icons of the six or eight elders that we hold in great esteem of building community, family, business here, and overseas. It has been a brilliant entrepreneurial familial sort of network. We are so grateful to him. We always will have great respect and reverence for Jamie lim for our Filipino American cousins, thank you.

\*\*\*\*\*: Thank you.

**Fish:** We should recognize the rest of the lim family, his partner, Dori, a nurse like commissioner Fritz and my mother, and a full partner in all the work, his children making their way and making a big impact in our community. All the people that he touches on a regular basis and I have trouble getting my son to go with me but he loves to go to the Filipino American picnic at blue lake in part because he's become crazy about Filipino food. Anything with chicken or beef that's stewed, he's crazy about it. So we thank the family and we honor the family today.

**Hales:** Thank you all for being here today and for being community leaders.

**Novick:** There was one remark that I wanted to make. I was just reflecting on the fact that it's kind of appropriate that today is Yom Kippur. I don't think that we should forget that the united states were responsible for the deaths of hundreds of thousands of Filipinos in the colonial war of Conquest following the Spanish-American war. So I just wanted to express my deep regrets for the role of my government and the joy that we are able to celebrate here today.

**Hales:** History has good and bad in it. It is important that, on the day of atonement or any other day that we remember that. Thank you. Thank you for being here with us today, Jamie. It's my honor to give you this proclamation.

**Lim:** Thank you very much.

**Hales:** We appreciate your leadership and the Filipino community's contribution to our amazingly diverse city. Thank you.

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**Hales:** Thank you very much.

**lim:** We appreciate being here. I've been here for 55 years.

**Hales:** Wow.

**Hales:** We are glad you chose Oregon. Thanks so much. Thanks for being here today. Appreciate your indulgence with the interruptions, as well.

**Hales:** We are going to move on -- do we want to take a photo or two? Go ahead.

**Hales:** We will move onto 1126, would you read that for us please?

**Item 1126.**

**Hales:** Commissioner Fritz.

**Fritz:** Thanks, mayor. Thank you, mayor. As part of the financial years '17 budget approval in May, council advocated 350,000 to a housing emergency community engagement plan spear headed by the office of neighborhood involvement. Council also directed oni to work with the Portland housing bureau the city and county joint office of homeless services and home for everyone to return to the council with the collaborative proposal. At that time commissioner Saltzman and his office directed that Mark Jolin the director of the office of homeless services will serve as the primary representative for developing the program with the office of neighborhood involvement staff and community members. The stakeholder group works throughout the summer to develop the proposal which that I will share with you today. And before I ask for brian hoop to begin the presentation, I'm going to pass out the amendments that in the Tuesday memo. I have a copy of it. It amends the number four to it now reads information coordination and communication the project grantees will work together with a home for everyone and the city and county joint office of homeless services to inform the public about the action plan to end homelessness for Portland and Multnomah county. The mayor homeless toolkit points of contact campsite cleanup information and opportunities to engage in efforts to end the housing emergency. And secondly, under b, the distribution of information, grantee organizations will work with staff coordinator and the home for everyone and the city and county joint offers for homeless services on a communication strategy.

**Fish:** Second

**Hales:** It is moved and seconded and we are ready for the presentation. Good morning.

**Brian Hoop, Office of Neighborhood Involvement:** Good morning, mayor. My name is Brian Hoop with the office of neighborhood involvement, manager of the community neighborhood involvement center. I want to thank you, mayor hales and commissioners Fritz, novick and Fish for consideration of this proposal. I want to thank commissioner Fritz for her leadership and support for this proposal. I am going to provide an overview of the plan followed by mark jolin with home for everyone and the joint office on homeless services. We will have three community leaders who participate in the development of this proposal. Including Katrina Holland, the director of the community alliance of tenants, Felicia Williams, president of the downtown neighborhood association and Ibrahim Mubarak with right 2 dream too and right to survive. What is this project? The housing emergency community engagement plan will provide resources for community neighborhood groups to constructively effect the current housing crisis and the impacts on the communities and neighborhoods, particularly, with an emphasis on engaging individuals experiencing housing and security, low income tenants and the houseless. Why this project? Those with lived experience with being houseless and low income residents at risk of becoming houseless have historically been underrepresented, and in government decision-making processes, those issues with a direct impact on their lives, and additionally, many community and neighborhood activists had Identified a need for more public information about the city's strategy for addressing the housing crisis. And they wanted to know what opportunities exist for community engagement so they could be



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constructively involved with solutions to the housing and stability in our community. These are issues that came up as the commissioner said, this last winter and spring when the community leaders brought the issues to us in our budget advisory committee process last winter. So subsequently, the city council approved this spring 350,000 with the budget note that we would return to council for approval of a plan, so as the commissioner said oni convened seven meetings including several oni bureau advisory committee meetings, over 60 people participated in those meetings, helping to develop and flush out this proposal, and in addition to representatives from all of the 15 partner, grantee groups, other community groups worked with us groups, working directly with low income tenants and houseless participating in those meetings including representatives from opal, Living cully, apano, the Asian pacific network of Oregon, and the alliance of tenants, right to dream and to survive, Bradley Engle house and historic Parkrose alliance. And that group identified outcomes that we wanted to accomplish. Working together. That our communities will be more informed about a home for everyone's action plan, and will be more informed about the one point of contact and various opportunities of how people can be engaged in the constructive efforts to help in the housing crisis. To the community organizations working with the individuals and families experiencing housing and security and homelessness, and will have expanded capacity to engage more people and to provide broader forums for the community to express their concerns and their needs and their issues that they want to organize around. The organizations will be able to expand their capacity to build the power to affect policy change and some of the long-term solutions towards the housing crisis. And lastly, oni's groups will have expanded capacity to collaborate with each other and other community-based groups and government agencies to inform their constituencies about what's going on and how they can get involved. So specifically our strategies, and that we propose, and one project grantees will work together with the home for everyone and the city and county joint office for homeless services to help inform the public about the council adopted action plan to end homelessness. And what tools exist in the mayor's office, the homeless tool kit, the one point of contact, and how they can get information about what is upcoming campsite cleanup efforts, and opportunities to engage in other constructive community initiatives to end the housing crisis. Specifically, there will be one competitive grant for 80,000 that will -- 80,000 will go to one of oni's existing partner organizations. For fte and limited program support. And they will help to coordinate the working relationship with the home for everyone. To work with the various advisory committees, and to help disseminate information to the project partners in the public. And two, two or three community organizations, and will be able to build their capacity for sharing information, leadership development, community engagement efforts, and so there will be three competitive grants, each 80,000, and that will help to fund the fte and limited program support, split evenly to the organizations working for and with the low income tenants, and the houseless and the communities of color and refugees. And third, lastly, the project will provide funding for several grant projects, and to engage more people in creative community-based projects addressing the crisis, so these will be 12,500 in small competitive grants likely in the 500 by probably 2,000-dollar range maximum will be targeted primarily to the projects showing promise for engaging in the community and constructive solutions pending the crisis. Lastly to address the concerns that have been raised, it has been pointed out the budget note was more focused on information sharing and communication, and yes, this proposal came out of the process and throughout a Frustration over the lack of awareness of the city and county plans, and how people could get involved but over the summer working with the groups and working with those most impacted, they made it clear that there was an equal need to build the capacity and the communities most impacted by the crisis, and the low income tenants and the houseless,

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and to help them build their capacity to effectively advocate for themselves. And lastly, why community engagement when the funds should go to building housing? And we face a long-term systemic housing crisis, and invest public involvement practices for achieving racial equity and necessitating in engage, those most impacted, and the tenants of which there is a disproportionate representation of people of color, and we wanted to point out that the city council adopted a racial equity goal, that we will strengthen the outreach and access of the city services for communities of color and refugee communities, and support for change existing services using racial equity best practices. And city council also adopted the public involvement principles which recognized Portland city government works best and community members and government work as partners. The preamble had stated we need to engage the community members and the resources as part of the solution. We need to engage the broader diversity of the community, especially people who have not been engaged in the past. With that said, I will turn the mic over.

**Mark Jolin:** Good morning mayors and commissioners, thank you for having me here this morning. I am here today in my role as the director of the city and county joint office of homeless services, and I also have the role of the director for home for everyone, and over the past months the office of neighborhood involvement has included a home for everyone and the joint office, in conversations with the partners to craft the proposal that you have before you. The result of that is a proposal that I believe will strengthen the role of community members, in particular those who are experiencing the housing and homeless crisis most acutely in shaping our response and through home for everyone more specifically. Among the core commitments of the home for everyone, and of the joint office, the policies and programs that we imp element to prevent and end homelessness should be shaped by those with personal experience of housing and stability and homelessness. That is why we prioritized having people with lived experiences on our board, subcommittees, and why we have a monthly forum that emphasizes the soliciting of the input of those on the streets, shelters, using services in our system. The leadership development component of the proposal promises to increase the number and diversity of people who are living in the housing crisis every day, and who have the tools that they need to bring Their perspectives to the various forums within a home for everyone, and to help us to shape the best responses to the challenges that we face. Those tools will be transferable to other local, state, and federal forums that have to be part of any effective solution to the crisis. The component of this proposal that focuses on helping the community groups work with their members to evaluate and develop policy proposals to respond to the housing and homelessness crisis, also, aligns well with the home for everyone. Specifically, our commitment to a community-based process for identifying the best possible local policies and strategies for preventing and ending homelessness. We hold monthly meetings of work groups on safety off the streets and housing and healthcare and employment and veteran's needs, and these are where we look to the community members to come forward with their recommendations for policies and programs that would allow us to better meet the needs of the people. My hope is that the community-based policy work envisioned in this proposal will feed new ideas and strategies into these groups, and similar policies at the local and state level. And in turn, lead to new and effective responses to meet the needs of those who are homeless or at risk of being homelessness. Finally, as I understand this, it would create an important bridge between a home for everyone, the Joint office, and the neighborhood associations. And we have had numerous stakeholders around the table at a home for everyone but the role of the association has been relatively limited. And that is a function in part of the fact that the neighborhood associations were often not aware of the work happening within home for everyone, and how they could participate in that work. And my hope and expectation is

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that the staff capacity here will help to remedy that and increase the role of the associations in our work to end the homelessness. Should you approve this proposal, the joint office of homeless services looks forward to working with the office of neighborhood involvement to realize the potential of the funds, to strengthen the voices of people with lived experiences in our communities' efforts to address homelessness. Two, to bring forward community-based policy innovation that will improve our responsible housing crisis and three to improve the community's understanding of the important work already happening through home for everyone, partners and including the city of Portland and Multnomah county.

**Hales:** Thank you.

**Hales:** If it's easier to speak standing. Whatever.

**Katrina Holland:** Thanks for accommodating us. I am Katrina Holland, and currently serving as the director at the community alliance of tenants, and I wanted to thank you mayor and commissioner for the opportunity And the office of neighborhood involvement. I first want to say that I am just really impressed with the way that this process moved forward. When we originally heard about the proposal coming forth out of oni, and the community engagement process going to follow the award, we really were excited to know that the community had input in shaping this proposal, and shaping how, basically how we were going to address the housing crisis. I want to say thank you very much for that opportunity, and I am really impressed with the way that the community input was taken into consideration and molded into the proposal in a way that really facilitated what we believe at community alliance of tenants to be crucial in addressing the housing crisis, which is community partners and community-based organizations and the organization to address our crisis. I think to talk briefly about the concerns that were raised, we have information sharing from the city to the community. One of the things that, you know, is really important to the community alliance is to ensure that there is a healthy feedback group so just as much as the city informs us and the community-based organizations can carry information out of the city to the community, it's important for the community to also provide input. And we really think that, I really think that the investment of this 350,000 into capacity building, and into information sharing equally is extremely crucial. One of the things that cat has prioritized over the last eight to ten years, or 20 organizations, is building the leadership capacity within the communities that are most impacted to the participate in the policy-making, and in decisions, and that impact policy in the long-term, and impact their lives in the long-term, and knowing that this housing crisis is significantly huge, and knowing that the capacity -- [inaudible]. It's great to see this includes investing in that capacity because that's crucial in order to keep going and in order to facilitate healthy communication so we support the proposal and we are excited about it, and we look forward to pushing forward and addressing this housing crisis.

**Hales:** Thank you.

**Felicia Williams:** I am Felicia Williams the president of the neighbor's last coalition and also the president of the downtown neighborhood association. And I want to thank commissioner Fritz and mayor hales and mark for their work getting this together. To put this in context half of the people in Portland rent, and downtown 85% of the residents in downtown are renters. My friend, dean, has cerebral palsy and I am helping him move into the peter Paulsen today. That is a single occupancy or sro and he has cerebral palsy. He gets \$921 a month. He's paying \$542 a month. You can do the math. One of our board members on the downtown neighborhood Association lost his job four years ago. He put his name on the housing list to get into the 1200 building and to the tower. He hasn't gotten in yet. That's impacted his health. We have not seen him since. This directly impacts us. There are four people, four types of people in Portland, those who don't care,

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and we're not worried about them because they don't care, and the people who do care because they are directly impacted by them, they need the help. The people who want to help, who have the capacity, they want to help. And the people who are scared, angry and frustrated, the people who want information, that's who this is targeted towards, those groups. The people who need help and want to help and the people who want information. That's what this has been structured around. What we're trying to do is to provide that conduit. And there are 95 neighborhood associations in the city. And there are seven districts coalitions, and there are six diversity and civic leadership groups. And we have quite a spread. The office also has community partners like cat and Ibrahim. We have a huge amount of capacity for relaying the information. What we don't have is that person that's doing the information gathering. This is a short-term fix, that was designed purely because of the needs that we were getting from our constituent populations, and they wanted that information. And this is not a long-term solution. This is only a one-year budget item but what we need is more information because we do. We have people who need help, and people who want to help, and we have people who desperately want that information. What we can do with this is get that information out there and that's why we hope that you will support it.

**Hales:** Thank you. I love that construct, very simple but clear about the four different groups. Thank you.

**Ibrahim Mubarak:** Thank everyone for being here, and in lieu of the distractions, I thank oni, I was saying oni, but having the proposal, what we have is a fragile situation where I was destroying us, and creating confusion between the have and the have nots, and it's growing because it's nothing wrong with progress or doing better for yourself, and I think that that's where Portland wanted to do better for not just itself but to be an example to other cities where the communities, all communities are starting to work together, our communities are starting to hear from one another, and hear each other's concerns and their success and their not success, it would give the people that live in his a chance to meet with the people outside and hear that our houseless people are not drug addicts, are not ladies of the night. Are not gang bangers but because of the housing crisis, that happened, that people are living on the streets. 111 people move here daily. So 111 people move here daily. 111 people are going to the streets daily. And unlike what the cully district is doing the neighbors are talking to the houseless community and seeing what they can do to better that neighborhood and I think that that's what needs to be done with this grant, with this proposal, that you need to combine and have real faces meet real people and say I am houseless but not what you think I am. They are no better, they know how to better their community, and know how to better the life situation. It is like the situation where the accountability for the police, we need information to help each other out. To form a better city. Combine and sew the gap, that's separating us, because you live in a house, don't mean that you are better than the person that lives on the street. We have diverse situations. You want to know the right 2 dream too, how successful, we have become? And we don't know how many people know that, so if you have the successful houseless people outreaching and letting people know that they are successful. I don't believe that I know that this would be a better city.

**Hales:** Questions for this great panel.

**Fish:** I have some questions. I appreciate the briefing I got from commissioner Fritz in detail, and I was the third vote to carry this, so I appreciated the opportunity to learn more about the work that's been done in the community, to get to this point, and what our expectations are. So I will be clear one of the challenges that we had when this came to council originally, is that two of my colleagues who I respect greatly had a disagreement about this issue. That is the housing commissioner and the commissioner in charge of oni,



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had a disagreement, maybe not so much about ends but probably about means. And there is a tradition in our council, it's broken all the time. And. There is a so-called tradition. Of deferring to the commission where there is that conflict. I made a different judgment. I kind of made a leap of faith because commissioner Fritz was so passionate about this idea of engaging the community in our work. The argument that she made then and the argument that she makes now is that we have a plan, and we have streamlined the leadership tree, we have a home for everyone, we have a joint office, and our challenge is to make sure that there is as many people as possible engaged in, in that plan, and that means understanding it. It means providing constructive inputs about how to improve it. It, actually, means being ambassadors for the values in that plan. If I have got a dollar for every time someone comes to council and says, what's your plan. Actually, we have a plan, and a lot of thoughtful people sat around the table and hammered it out. Can it be better? We would like to hear from you, but we have a plan, so that was the guiding principle. When I hear capacity-building, there is one cautionary flag that I will put out there, which is we normally think of capacity building as a multi-year exercise. We are as a council, loath to invest in positions and capacity-building if it's a one-year deal as everyone has acknowledged, this is a one-year pilot. There is no guarantee this pilot continues and in fact, I would argue that when we get the report from this pilot, one of the things that we may learning is that there are things that we can do better on every issue that comes before council and engaging people because we're sort of identifying housing, but frankly the same lessons could make us more effective on police accountable, on -- where we place parks and on how we engage the public on a myriad of issues, so we're saying housing is our most urgent problem right now. We may learn things that help us to engage the public better. I just want to acknowledge that there was a principal disagreement, and it is somewhat unusual, to go against that, and commissioner Fritz has made a case here, and I respect the fact that she is deeply committed to providing bridges, and to giving people voices in their government. When people have a voice and a respectful one, a voice that we all hear and listen, not a voice that prevents us from engaging, but a voice where people are meaningfully heard, we sometimes do better work. That's the vision, so I hear my questions. Mark as the representative of the home for everyone, the person who does the diplomacy between the county and the city, you and will you be fully engaged in all of the work over the next year under this pilot, including will you be at the table helping to make decisions about grants?

**Jolin:** I think that is the expectation and the plan, and it will either be me or somebody from our team and the joint office who remains engaged.

**Fish:** You are the leader, and commissioner Fritz is that your understanding?

**Fritz:** Yes.

**Fish:** Amanda and I have had a follow-up conversation about the difference between sharing information and encouraging people to participate and having a process to redo a plan outside of the framework. Everyone has been clear but it's worth pointing out that we have a plan and a process for revising that plan, and what we're talking about is encouraging as many people as possible to become part of that. Does that correctly state that?

**Jolin:** That is the intent, yes.

**Fish:** We will get a report at the end of the pilot, so we'll get to see what the judgment of oni is about how this has worked. I will say what Amanda says at these moments in other cases, this is one-time money. We don't know what the economies can do. We are hopeful it continues with blue skies. We don't know. Amanda and I have spent more type on this council cutting than investing in budgets. With that understanding it is a year, and that, I hope, will guide the grant-making. Understanding it is a one-year not with a plus because

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that's not guaranteed. Again I appreciate the briefings I received, and recognizing that there is a certain awkwardness in having a conflict within the family. We also make our best judgments, and I am going to, based on what I've been told by mark and by the county chair and by commissioner Fritz and what I have heard this morning, and I will support this, and accept the report and I thank you.

**Novick:** I really appreciate the presentation, and the report and all the work that the people have been doing to make sure that this pilot is a success. Thank you very much. I also want to accept the report.

**Fritz:** When we schedule this had presentation, commissioner Saltzman had not filed an absence I should have realized it was yam kipper and that wasn't on his schedule until we had publicized this meeting. My understanding is that the commissioner Saltzman continues the put great faith in mark and the joint office. He's ok with what we propose.

**Fish:** I can also say that he has not offered an opinion one way or another with me, which is normally the sign that he expects us to make our best judgments on this, and he would be here other, if it were not a religious holiday.

**Fish:** Ibrahim, is there anything else you would like to add? We are taking friendly amendments if there is something else you would like to add.

**Fish:** The mayor is back and we'll let the mayor lead the proceeding.

**Hales:** What I would like to do, I would like to -- we're going to continue this for later in the calendar, for today so the people can testify on it later, but we're going to take up one of our regular agenda items so I think that we want to make sure that we have had our discussion and thank you and not hold you here, you have other business. People have signed up for this and I want to give them a chance to speak but it's important that we get other work done so if there is no objection we will close the presentation and continue this item until later in the calendar today. I want to say, in case you might not be here then, that just a little off, tangential, two Saturdays ago I was at mercy corps and there were 150 people in the room and they were advocates and homeless folks and architects and big thinkers about housing. And there were a bunch of new people in the discussion. A lot of young architects who I had not met before. It was this amazing mixture of ideas and energy and commitment that I think this effort will tap into. It was one more after place to me that not only when we opened a new shelter in the sears building, people in the neighborhood organized Themselves and started bringing food to the folks that were staying there. There is a lot of that kind of good-hearted interest in Portlanders to do something and help. There was also this intellectual fermit about the bigger picture and how to solve the problem or at least a piece of it. It's just one more affirmation to me that this kind of structured engagement of people that care and want to do something is a good idea and we'll learn something, and new things, and we'll come up with strategies in that even the biggest effort the city and county have had on housing and homelessness will be improved by the fact that those kinds of ideas and innovations will come to us, so it was just, you know, I believed in this before and frankly being in that room with those folks is like oh, yeah, this is going to work, and so I really appreciate commissioner you and this team putting this, making this real and putting it together in a way that I think is going to produce that kind of upwell of good ideas and commitment and cooperation and understanding that we might not have otherwise had.

**Hales:** Thank you very much. Without objection I will continue this item to later in our calendar. Then go to the regular agenda and bring up item 1142, which is a second reading.

**Item 1142.**

**Hales:** Some of my colleagues might have statements to make. Any questions before we take a vote? OK, roll call please.

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**Novick:** I recognize that we have a police staffing problem and that we have a problem relating to the competitive compensation, especially for people in the first six months of their service and the police bureau. And I appreciate all of the effort that has gone into crafting this contract.

My concern is that this commits us to a significant ongoing expense when we do not know that we will have the ongoing funding to address it. The city discretionary budget goes almost entirely to the police, fire, parks, and housing. If we make a commitment that we're not able to pay for in one area, that means that we need to have cuts in the other areas or we'll need to raise additional revenue. In terms of the ongoing money we spent every dollar that we have. This would set up is a commitment of about \$7 million is my understanding. And at this point we are already overextended in terms of our ongoing commitments because this year we're spending 11.5 million of ongoing money on homeless services, and we have made a commitment to spend 15 million a year on the homeless services. So we're 3.5 million in the hole.

This proposal in the absence of a very favorable revenue forecast, would put us further in the hole. Sometimes it may not be practical to know how you are going to pay for a new commitment. In those cases at least I would want to be in a position to tell the public how difficult it might be to pay for that commitment. Here one problem that we have is that we have not seen the revenue forecast for the next year yet. That comes later in the year. We don't know whether the proposed marijuana tax is going to pass. We would have a much better idea of our fiscal position in several weeks than we do now.

There is one non-financial issue that I wanted to touch on, which is we heard a lot of concerns raised about body cameras and whether police officers but not other citizens would be able to review body camera footage before making statements. The mayor, the city attorney's office have made it clear that this contract does not commit us to any particular body camera policy although it does commit us to bargaining over a body camera policy. And a commitment that I want to make is that if at some point through bargaining or otherwise the city adopts a policy of allowing the police officers to review body camera footage before making statements, then that same privilege be extended to other people involved in the incident, whether they be suspects or witnesses or other witnesses who might be asked to make statements because I think it would be an unfortunate dynamic if the officers were able to review the footage before making the statements and the other citizens involved are not. There is always problems in eyewitness testimony and people's memories, particularly, in stressful situations are not perfect. And if you set up a situation where one party is able to review footage and the other is not, then in subsequent proceedings one party will look more credible than the other, and even if there is no intent on the part of the person who looks less credible to deceive. That's a commitment we may want to make on any future policy discussion that we have on this issue.

Finally, I did want to note that the mayor did propose is a way to pay for this contract, in the budget process, last May, and proposing a tax increase to do so, and although I did not think that we laid sufficient groundwork to support that increase at that time, I do appreciate the fact that, the mayor did make an effort to ensure that we could pay for this and I wanted to acknowledge that. And in light of the foregoing I respectfully vote no.

**Fritz:** This is one of the most important votes that I passed in eight years on the city council. After my husband was killed in a car crash two years and three weeks ago, the most crucial issue that prompted me to seek re-election was the knowledge that our work to solve conflicts between the Portland police bureau and the communities our officers are sworn to protect and serve was far from over. It is still far from over. I want to state into the

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record my reasoning for my vote, so lots of reasoning has gone into this. Eleanor Roosevelt said it takes courage to stand up and speak and it takes courage to sit down and listen, we have done a lot of sitting down and listening to the community over the past month and more. I invite everybody to please sit and listen to my long speech.

The city of Portland has not made the progress that we should have made in police reform and accountability since the department of justice settlement agreement was adopted. I am sorry for my part in failing to achieve more of the reforms set in the settlement agreement. I apologize for not succeeding in improving the community trust in the police bureau which is one of the goals I stated in my 2012 election campaign. I worked hard for the past four years but we have not yet reached those goals. I apologize to every Portlander who has experienced desperate treatment from police officers since the settlement agreement was approved and I am grateful that Portland re-elected me this past May and I pledge to work even harder to collaborate with the people of color or people experiencing mental illness or other disabilities and everyone who cares about this problem, to implement the changes that will make us all safer.

Surely we can all agree that what we want at the end of each day is for everyone to be safe and warm in their homes, whether we're talking about individuals in daily activities in our community or about the police officers returning to their families at the end of the shift. This week, a person living outside in Seattle was killed by a police officer in the midst of a knife fight with another tent resident. And also this week a police officer who had recently returned to work after maternity leave to nurture her first child was killed during a welfare check in palm springs. Surely we can all agree that these deaths are tragic. Surely we can all agree that killing of human being, whether community member or a public safety officer is wrong. We must keep striving for change. For me and I know from many of our community partners there is no alternative. We will not stop working for justice until there is justice for all.

I am grateful to the hundreds of Portlanders who have attended countless meetings of the community oversight advisory board, the citizen review committee and the discussions on independent police review and other gatherings. Thank you to everyone who has attended a black lives matter or don't shoot Portland rally and thank you to the people protesting here today. I thank everyone who took the time to come to city hall and the other places we've held meetings to share your concerns and advice, and thank you all to everyone who has called and written, sent emails or signed petitions. Thank you especially to the leaders of the Albina ministerial alliance coalition for justice and police reform. Dr. Bethel, Dr. Haynes, Joanne Hardesty, Dan Handelman and others have been working for change in police policies for decades. Racism runs deep in our city's history and in our present. The Albina ministerial alliance has showed dignified leadership continuously advocating for justice over decades and generations. The pastors model how to disagree without being disagreeable. Ms. Hardesty at the chair of the NAACP in Portland has been a leader throughout the state in the legislature and locally. You speak your truth and you hold me and other elected officials accountable for results. Thank you. I also thank Debbie Aiona of the League of Women Voters Portland and Darlene Limly and Carol Crishman and other league members who have attended countless meetings and sent thoughtful letters on police accountability. T.J. Browning and Richelle Silver and many others join the ranks who have volunteered our boards and commissions and our community processes for accountability. I have read all your memoranda I respect your integrity I thank you for educating me.

I must also acknowledge Teresa Raiford I first met Teresa when she was running for my seat on city council in 2012. Portland has failed Teresa and her family over and over, but Teresa has not given up on Portland. In 1981 which is not that long for



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somebody of my age not long ago, Portland police officers threw dead possums on the steps of the burger barn her grandfather's business the officers who did that vile act were reinstated by an arbitrator after commissioner Charles Jordan fired them. Teresa's nephew and cousin died by gunfire on Portland streets. I'll say this again Portland has failed Teresa over and over, but Teresa has not given up on Portland. She was arrested and went to trial for disorderly conduct at a don't shoot Portland rally, she was vindicated, she won one back. She doesn't abide by the rules for community engagement—Sorry this sentence that I wrote at three o'clock this morning doesn't make sense so I'll skip it. Teresa I will forever remember your testimony on the council agenda item reviewing the purchase of a bridge crane, you conveyed the sorrows and hopes of many black Portlanders in the few minutes you were given to speak tying in public process with community advocacy. You are a warrior for justice, a leader for our community, especially younger Portlanders and communities of color. Thank you for continuing to insist on the pursuit of justice.

Obviously the easiest path for me today would be to vote no. I received dozens of emails, letters and phone calls urging me to wait, to let the new mayor address the contract. Many people who I respect most in the entire world and well as in Portland have contacted me urging me not to ratify the contract. I agree way too many Portlanders have died in incidents with police officers. Both white people including James Chasse and people of color such as Keaton Otis, Kendra James, Jose Mejia Poot and others. Every life ending in gunfire is tragic and many are avoidable. This is something I have heard in the hearings and read in the written testimony.

Many people are concerned about the draft policy on body use, body camera use by officers which was posted with the union contract. Let's be very clear, the union contract is silent on the issue of body cameras. There is nothing in the contract on body cameras. The council has not yet voted to purchase any body cameras. We directed the police bureau to research the issue and return for a full hearing before proceeding to purchase any cameras. Mayor Hales' amendment to this ordinance is crystal clear. The draft body camera policy will be reviewed and amended by a stakeholder committee then it will return to council for a full public hearing where amendments will be considered. Mayor Hales' amendment states the city council will decide on the body camera policy, not the chief of police, Portland police association or the mayor alone.

What is on the table is the Portland police association's agreement not to open the entire contract to bargain on the body camera policy. That is a huge win if we ratify the proposed contract today. Obviously the most crucial issue in this debate is use of deadly force policy. The union has agreed that revisions to this policy will be determined by the United States Department of Justice. And at last, the 48-hour waiting period before an officer may be interviewed in connection with a community member being killed by a police officer is deleted from the contract. This policy has been condemned since the turn of the century. Countless groups and individuals have railed against it and obviously it needs to go. This contract deletes it. I commend Mayor Hales for achieving what other mayors have tried and failed to win in union bargaining agreements.

Some community members have said the deletion of the 48-hour rule is meaningless if other protections for officers remain in place. Nothing in the ordinance before us today deletes the authority to interview officers involved in deadly force incidents immediately if warranted. Some community advocates have voiced concern that an officer could delay giving a statement until he or she reviews the body camera and evidence. That's not true. Again, the body camera policy will come back to council for the mayor's amendment. The rules on reviewing data including audio and video evidence is subject to department of justice review under the settlement agreement.

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Another concern I heard is there are no standards for which officers are allowed to come back to work part-time as retirees. The contract states that the chief has absolute discretion on who to hire back and who should not be allowed to reenter the work force. I find it unbelievable that any chief appointed by the mayor as the commissioner in charge of the bureau would invite criticism by hiring back officers who are not trusted by the community. Rehiring of retirees should be at the discretion of the chief and it is. I have met with police chiefs regularly since I took office in 2009. Community members may consider both the council and the police bureau out of touch with community concerns but I can't believe any mayor would allow the police chief to rehire officers that are despised by the community. Community member efforts -- in Yorkshire, England, where I grew up there's a saying, why borrow trouble? Bureau directors including police chiefs are hired for their connections to all of our communities in Portland. While I understand community concerns about retirees I don't believe that concern is enough to compel me to vote against the package.

Another concern I recognize is the notion that the contract doesn't go far enough to mandate disciplinary action when officers act contrary to city policy. The union has agreed to withdraw 11 grievances that have been filed and are pending decisions. Withdrawing those grievances means the union is accepting the bureau's clear and objective discipline guides which mandates actions in relation to offenses. The use of the discipline guide has resulted in stiffer penalties for infractions than the previous benchmark of past practice. Since mayor hales took office 12 officers have been terminated or have resigned in lieu of termination. Officers who resign under pressure of discipline or are fired in response to their actions lose their accreditation. They can't work as police officers anywhere in Oregon. In the cases where the arbitrator has ruled the city must continue to employ an officer who the chief and mayor have fired, those officers are now assigned to work where they will never interact with the community on the streets. The acceptance of the discipline guide by the union is a significant win for our community and the police commissioner mayor hales. And the discipline guide is not part of the contract. If the police chief, mayor, council or community members want to change it that can be done administratively rather than being bargained in contract negotiations. Arbitrators have ruled in favor of the Portland police association's contracts multiple times on multiple issues. Many community members recognize this and would like to see the contract changed to send conflicts to the civil service board rather than the arbitration process. I share that desire. This is one issue on which I agree we didn't get everything that we wanted.

Should we reject the whole package due to not prevailing on that issue? In union negotiations, the final decisions are never all on one side or the other. The final package before the council today reflects that reality. The agreement recognizes that changes to the independent police review process and citizens review committee hearings to consider appeals to the ipr are pending. It recognizes the role of the u.s. Department of justice on those processes. It continues to recognize the -- that's wrong too. I agree with community concerns about this section of the contract and will continue to advocate to address those concerns when the independently elected city auditor decides to move forward with her reform package I don't see a compelling argument to delay contract ratification on that issue.

In summary there are several sections of the contract in which I share community concerns. There are several sections of the tentative agreement on which I believe community concerns are misinformed. And there are some where I believe the contract addresses the concerns and gives the council and community long held wins. So the question I have asked myself over the past month is why do this now? Why not support the position of community advocates who unite asking the council to delay their decision on

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the contract until mayor wheeler takes leadership helm of our city? The core question is what is the cost of voting to approve this contract or not? I'm not talking about the cost in dollars. Council was clear this spring when mayor hales proposed the surcharge on the business income tax to pay for the 4% raise for all officers. And along with other commissioners I assessed the monetary bill of over \$9 million in ongoing resources too high when we also weren't buying changes to the contract. Now the bill is around \$6 million with significant concessions from the police union on crucial issues such as I just described. We are buying elimination of the 48-hour rule, agreement that the body camera policy and other department of justice mandated reforms are not subject to bargaining and dismissal of 11 grievances some of which could cost the city millions if the arbitration rules in the unions favor.

But this is about more than the dollars and the contract and the ordinance language local activists have seized on the contract as an issue that relates to the broader community concern about justice in relation to police officers' actions in our city. The fundamental question, is what is the cost for our community in accepting or rejecting the package not the dollar cost, but the people cost. Who will suffer if this contract is not ratified today? The answer I see is people who suffer will be the same communities that good hearted earnest advocates seek to protect. Lower income communities and communities of color. The cost of delay will be an impact to neighborhoods struggling to reduce gang violence and human trafficking, neighborhoods desperate for community policing with officers on walking beats to forge connections with people living outside and with young adult panhandlers. People wrestling with drug and alcohol addictions and residents and employers just trying to get through each day with the safety net of police officers responding to 911 calls within minutes of the report being called in. For every report about officer-community interaction gone bad there are hundreds or thousands of responses where police officers provide vital services to Portlanders who are crime victims, to people experiencing mental illness including people threatening to kill themselves and/or others due to suicidal thoughts. We need Portland police officers to have capacity to report to traffic crashes, domestic violence calls, human trafficking and many routine calls. The contract addresses those needs by providing the incentives for recruitment.

This is a "we" issue. A "we" opportunity rather than "us and them" framing. What should we agree on as issues and goals we all unite in caring about? This is an opportunity for collective ownership of reform in the police bureau and in our city. We must listen to the collective voices of our community and seek common ground, common goals, common agreements that will promote reform within our police. [Audio problem. Microphone failed and Commissioner Fritz stopped speaking. The microphone was reset and Commissioner Fritz resumed speaking.]

We need to have incentives for new recruits to come to the bureau for new, idealistic young people who share all values Portlanders do to support a police bureau that reflects both the vision and the demographics of our communities. The Albina ministerial alliance, naacp, members of health care advocates, league of women voters and many individuals and groups share a long history advocating on police reform. I have listened to the collective and individual voices from the community advising and I agree, Portland city government needs to put our own house in order. Still I refuse to stay stuck in an adversarial position. I was elected with public campaign financing. I was a community activist for 15 years before I began to aspire for the elected office. As a city commissioner I own the responsibility to acknowledge problems and find solutions. Police services should be about we, not about us and them. We all own our own part in making that value a new reality in Portland.

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So considering all of that today I'm voting based on the cost of delay and cost of ratification. The people cost, the community safety cost, long term public good costs. Of the two choices approve or reject in my assessment the cost of delay is more compelling and daunting. We already have 65 vacancies in the police bureau with 21 more officers due to retire just this month. If we don't ratify the contract with its agreements on recruitment incentives, we will likely be short 150 officers by the end of the fiscal year next June. It is a sad fact that we are not allowed to give recruitment entry level benefits without consent of the union and opening the contract and agreeing to the package of pay raises for all officers. I'm a proud dues paying union member of the Oregon nurses association still. I understand why union contracts matter and why workers deserve due process when bargaining on contracts.

In terms of the investments we'll be making in the police association union contract, we are buying very significant concessions. Deleting the 48-hour rule, dismissing 11 grievances and setting parameters for compliance with the department of justice settlement agreement. Thank you to the bargaining skills of human resources director Anna Kanwit with the support of Mayor Hales for achieving these improvements.

I visited 30 of Portland's 95 neighborhoods in the last couple of months giving information about how the ballot measures we're voting on in November will affect Portlanders. Everywhere I go community members are asking why their neighborhood doesn't get needed police attention. In Sellwood last week a woman walked out with me after the meeting to tell me her son-in-law is working so many overtimes in the police bureau he barely sees his family. It is not safe for police officers to continue to work so many hours. The chance that officers will make a terrible decision in the use of deadly force increases when they are exhausted from working too many hours. I know, I was a registered nurse before I was elected to the council. I know I was less safe in my working environment when I was sleep deprived and stressed out. That reality is one of the true costs of the question of delay or implementation of this contract. I want every neighbor in Portland to receive prompt attention when they call 911 requesting intervention by a police officer. I want every officer working in our community to promote community safety and eliminate all disparate actions related to people of color, people experience mental health illness, people who can't find shelter and the others who are disadvantaged due to the city of Portland's past and present actions.

I recognize on this vote I'm say no to almost everyone who has contacted me on this issue and people that I love and value as my core supporters. Eleanor Roosevelt also said do what you believe in your heart is right for you will be criticized anyway. Having considered all input I believe in my heart that this vote is right. Aye.

**Fish:** Mayor Hales, in a moment like this a politician usually says something like that's a tough act to follow. I'll say it's an honor to follow Commissioner Fritz and to state my comments for the record. Because of the circumstances in which we find ourselves today I have posted my statement on my website for those that would like to read along. I will read it because I took time to craft these words and I want to get it right.

Colleagues, let's start with something we can all agree on this morning. One of our core responsibilities is to provide adequate funding for fire and police. The community expects nothing less. Let me be clear about my values. The important work of police reform and accountability is essential to maintaining public trust and a core responsibility of this council. The people we serve expect us to invest in public safety. What does that mean? It means a prompt response to a 911 call. A firefighter and an ambulance when needed. A personal relationship with a cop which is the heart of community policing. That explains why during good times and bad this council has worked hard to protect public safety from budget cuts. The debate over this proposed police contract has been charged.



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I spent a lot of time listening to testimony, reading emails, and getting input from trusted friends and community leaders like Avel gordly, dr. T. Alan bethel and speaker tina kotek. They remind me there is history in our community to be accounted for. There are lingering trust issues and there are unfulfilled promises of justice and reform. During my service on this council I have been proud to support important reforms and accountability measures this includes the department of justice settlement, the discipline of officers who have engaged in misconduct, a new police training facility and proposals to reform the independent police review process. Not long ago I spent the night on patrol with officers on the gang enforcement unit. I saw firsthand their professionalism and dedication. They did the right thing under very difficult circumstances. But they can't do their job if we don't support them. The challenge before us is a staffing shortage reaching crisis proportions. 911 response times are now six minutes or longer, putting all Portlanders at risk. Chief marshman reports officers cannot follow up on some 911 calls such as theft with no suspects because they are responding to 35% more calls than four years ago. We have a shortage of 65 officers and 20 more vacancies to come this month and the trend only gets worse over the next five years the police bureau anticipates nearly 400 retirements. To address this problem there are proposals to cannibalize units like gang enforcement and domestic violence reduction unit to get more officers on the streets. This would do violence to the spirit and letter of community policing. It's unacceptable to me and to the people who depend on these important services. The proposed contract isn't perfect. It makes progress in a number of key areas. Addressing the acute staffing shortage, making Portland police salaries more competitive to help recruit and retain qualified officers. Advancing our reform agenda by removing the 48-hour rule, affirming the City's right to discipline officers who engage in misconduct. The proposed agreement is also significant for what is not in it. As the mayor's amendment makes clear it does not establish a policy on body cameras which must be negotiated separately and brought back to council for a public hearing and vote.

Three final observations. First I have reviewed ted wheeler's 10-point plan for police reform. This contract addresses a number of concerns he raises while other issues can be addressed through council or executive action. Second, if we are to make this investment in new officers and retaining experienced officers, we must seize this moment to advance our equity and diversity goals. At my request the mayor has pledged to hold a work session in November to outline his plan and chief marshman's plan for making our police force more representative of the people they serve. Finally, some have questioned the cost of this agreement. I am more concerned about the cost of doing nothing. The alternative to approving this contract is unacceptable to me. It could be years before we get a new contract. The 48-hour rule would still be in effect and there's no guarantee we'll get a better deal in the future. I know that my vote today will disappoint some in our community. However, leaders are called upon to make the best decisions consistent with their values. This proposed contract supports two of my top priorities, supporting police reform and investing in public safety. I vote aye.

**Hales:** I have only a little to add to these eloquent statements that we have just heard from commissioners Fritz and Fish about this contract. So I won't spend a lot of time on the substance of this, but first on the larger agenda, we have work to do in police reform in our city. We have made progress and I'm very proud of that progress, but we still have work to do and as I we have heard from my colleagues today there's a commitment by the leadership of this city, by the Portland police bureau, and by the community to carry on that work. Secondly, we have seen real gains in the police bureau's understanding of and dealing with very difficult situations on the street. Our use of force is down significantly. As I say all the time, I get reports every night of our police officers deescalating situations that

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perhaps in the past would have involved force and tragically in other cities today is involved in force in appalling and unacceptable ways with loss of life that should never happen. I'm really proud of those reports I get day after day, week after week, of de-escalation of crisis in our community. Don't take my word for it. A neighbor of mine, Mary Nichols, went on a ride-along recently, and being particularly adept at social media she posted an account of that ride-along and even some video of the experience including deescalating a situation involving domestic violence that frankly I was amazed they managed to deescalate. Some 50,000 people have already seen her post and I hope everyone in Portland sees it. That account affirms what I'm seeing as police commissioner and the progress that we're making. There's much more to do. I remain committed, I know this council remains committed, to the department of justice settlement, spirit and the letter, doing better than the letter in how we actually operate as a police bureau. Finally, I want to thank my colleagues because as we all know but I think not everyone understands in the community we have a series of executive sessions in which the council gives direction to our bargaining team when we're doing union contracts and this council was clear about how much we could afford to do and no more. And our goals in terms of things like the 48-hour rule that had to be included in this package. So I know that put our bargaining team and ultimately me when I went to the Portland police association executive board and said take this contract because this is as good as it will get in terms of what your goals are and includes everything that we must have in terms of ours. And to their credit, they did accept that proposition and they ratified this agreement. So finally I want to again thank some people, Anna Kanwit is away but she and her team at the bureau of human resources have worked hard to get us to this day and I appreciate that good work. Our city attorney's office Mark Amberg is here. They have worked hard to get us here. Our professionals in the police bureau are and those two agencies have served the city council well in getting to an agreement that is good for Portland. Aye. Let's take a brief recess for comfort sake and come back at 11:30.

**At 11:25 a.m. council recessed.**

**At 11:31 a.m. council reconvened**

**Hales:** we'll resume the council meeting and take up item number 1127, which is the approval of findings.

**Item 1127.**

**Hales:** Good morning. There's a button on the base of that microphone right there.

**Douglas Hardy, Bureau of Development Services:** Good morning. Mayor Hales, council members, thank you. So you should have before you the revised findings for the new meadows group living facility. Quick reminder, we first heard this on September 14th. Council did take a tentative vote to basically deny the appeal from the Portsmouth neighborhood association and uphold the hearings officer's decision with a couple of minor modifications to conditions of approval related to the parking lot and the good neighbor agreement, and council instructed the bureau of development services staff to basically incorporate that into the findings and bring that back to you. The findings you have to incorporate council's deliberation and basically we're looking for a motion to accept those findings and to accept the final decision of approval on this case.

**Fish:** So moved.

**Fritz:** Second.

**Hales:** Any discussion? I assume the parties are fine with the findings?

**Hardy:** They are, yes.

**Hales:** Roll call vote, please.

**Novick:** Aye.

**Fritz:** Thank you for your work on this. Aye.

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**Fish:** Aye.

**Hales:** Aye. Thank you very much. Let's move to perhaps do you want to do the pulled consent item first then move on to the let's do 1128. I think someone asked that this be pulled.

**Moore-Love:** Mr. Lightning did.

**Hales:** Let's take that item, then, please.

**Item 1128.**

**Hales:** We'll pause for a minute so Mr. Lightning can be brought up to the chamber. While we're waiting we'll take a break at 12:30 maybe. Does that sound good? See how it goes.

**Moore-Love:** Mayor, it's my understanding they can't find Mr. Lightning.

**Hales:** Then we'll take a motion, please, on the report.

**Fish:** So moved.

**Fritz:** Second.

**Hales:** Discussion? Roll call on 1128.

**Novick:** Aye. **Fritz:** Aye. **Fish:** Aye.

**Hales:** Aye. I understand we have some invited testimony at least neighborhood activist's testimony you want to make sure we hear, so let's return at least momentarily to 1126.

Take the first person signed up.

**Item 1126 testimony.**

**Moore-Love:** Yes, Joanne Rees Luchini. Do you want the other names?

**Fish:** She might be just outside.

**Hales:** Good morning. Welcome. Have a seat. There's a button on the base of that microphone you need to push to make it active. Thanks for your patience.

**Joanne Rees Luchini:** I'm Joanne Rees Luchini. We're taxpayers and voters. We live in Lents. I have some concerns about housing emergency community engagement plan. My first concern is how much of the \$350,000 will be used to alleviate the suffering of those most impacted by the housing crisis versus how much will be spent on overhead among the participating agencies. Why is one undertaking this despite the city budget office analysis advising there are already established outreach and public engagement efforts primarily facilitated through the housing bureau. My second concern is will the community engagement be meaningful, inclusive and equitable. I see no mention of neighbor engagement in the plan yet the neighbors are the ones who will be expected to coexist peaceably and equitably. Neighbors are everyone who contribute to the fabric of the community. In Lents our neighbors are housed and unhoused. Renters, homeowners and campers. Poor, working poor and working class. Lents is a diverse community where everyone coexists. It's a city consistently and consciously failed to acknowledge this the past year. The city chose to see the struggle the diverse housed and the diverse unhoused as separate struggles. Policies seem directed at divide and conquer with the diverse poor, working poor and working class housed pitted against the diverse poor and working poor unhoused to everyone's detriment. My third concern is will the community be respectfully listened to and heard or will the engagement remain lip service and participation remain tokenized? Lents experience this past year has been whether housed or unhoused concerns were ignored or dismissed if they didn't match the city's agenda. No matter who protested about what, human rights, health, safety, safe space, quiet enjoyment, they don't care about us. When the Lents resident dared to suggest that wealthier neighborhoods should also bear the responsibility for caring for the unhoused, a city employee used a misogynistic oppressive epithet to describe them on social media and the city has yet to issue an apology. In closing, since the neighborhood associations were asked by the mayor's office for the neighbors' opinion, I would also like to remind that adding more police does not negate the need for police accountability and we're also respectfully

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requesting city council delay approval of the Portland police contract until mayor wheeler takes office. Thank you.

**Hales:** Thanks.

**Fritz:** Thank you for your testimony. If you would like to stop in at the office of neighborhood involvement Brian hoop is the person who worked on this and I think he can answer most of your questions.

**Luchini:** I thought it was very ironic that as a community member I had to wait to speak but yet the agencies were allowed to speak ahead of me. That's very indicative of what I was sort of saying in my statement as well too, that the agencies, some of which I hate to say are poverty pimps are actually more important than myself. I was here at 8:30 this morning. Froze my patooty outside for half an hour before the doors were opened. I have been waiting patiently to testify yet the agencies got in ahead of me. I did it all on my own nickel and my own clock. Everybody else was getting paid a salary to show up. I find it incredibly disrespectful.

**Fritz:** Apologize for that. Thank you for your engagement.

**Hales:** Thank you very much. Commissioner Fritz, want to take the rest of the testimony and continue that a week?

**Fritz:** I think given the number of items we have left to do which again will require votes today, I would prefer to carry this over to next week.

**Hales:** We'll carry that over to next week. Anyone who signed up to speak on that item can do so then. Let's move on, then, to the regular agenda. Take 1140.

**Item 1140.**

**Hales:** Without objection I'm going to return this to my office until next week. Thank you. 1141.

**Item 1141.**

**Hales:** Good morning. Just push the button on the base.

**Eric Johansen, Office of Management and Finance:** Thank you, Mr. Mayor, commissioners. I'm Eric Johansen, city debt manager. The ordinance before you this morning is a nonemergency ordinance and it accomplishes two purposes. First is the it authorizes funding up to \$93 million in new money water projects, and this 93 million is expected to fund a portion of the bureau's capital projects for the next 15 to 18 months. Secondly the ordinance authorizes refinancing of outstanding water revenue bonds for the purpose of realizing debt service savings. We currently expect we'll refund approximately 85 million of outstanding bonds and realize about 9 million in present value debt service savings. This is subject to market conditions so it could be up or down but that's where we think it is right now. Lastly the ordinance authorizes certain amendments to our first clean water revenue bond ordinance to provide greater flexibility with respect to the debt funding reserves and treating of operating expenses. With the issuance of these bonds we'll have sufficient bond holder consent to proceed with these amendments and will take effect upon closing of the 2016 bonds. Our expectation is that we will sell the bonds through competitive bidding in early December with closing mid-December. We'll be requesting a rating on the issue from Moody's. The bureau's first bonds are currently rated triple-a by Moody's. Questions?

**Fish:** Mr. Johansen, one of the benchmarks set by the independent budget office for the water bureau is to maintain its triple-a credit rating and it's one of a handful of public utilities in the country that has a triple-a credit rating. This is the second presentation we have had in about a month where we talked about refinancing bonds, and realizing savings for taxpayers. We had a conversation involving bureau of environment services now the wear bureau. You have identified about 9 million in savings from the refinancing. What is the impact of a triple-a credit rating on those savings?



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**Johansen:** Certainly results in greater amount of savings, higher the rating the lower interest rate investors will be willing to take. In rough terms for every 100 million of bonds that we issue having a triple-a rating versus, say, a aaa rating is worth about \$2 million over 20 years, a standard way of measuring the benefit of the triple-a rating relative to a more typical rating on a revenue bond.

**Fish:** We talk at budget time about maintaining a triple-a credit rating and what does that mean, but here's an example where we're taking advantage of historically low interest rates and the city's credit rating allows us to get the most favorable rates. That means we can borrow money and save at lower rates and save ratepayers the cost that would otherwise be there. I think that's something worth noting.

**Johansen:** Definitely.

**Hales:** Questions for Eric. Thank you very much. Anyone signed up to speak?

**Moore-Love:** I'll see where the sign-up sheets are. One moment.

**Hales:** Okay.

**Hales:** You called the names in chambers? Okay.

**Moore-Love:** I'll call the three names and hold them at the door. The first three people to testify on 1141, the water revenue bonds, David Davis, Robert west, and Cecile Evans. They will be followed by Angela warner, maybe, Ashley langsdorf and Gregory McCelvey.

**Hales:** Thank you.

**Hales:** You've called the first three names. Let's call the second three names, please. Call the next three, please. Call the next three, please.

**Moore-Love:** Are the artist vanderlyn, stew Stuart and Jessie Sponberg.

**Hales:** OK, call the next three, please.

**Moore-Love:** Joseph Gordon, Ashanti Hall and Aneesha Furan Peace.

**Hales:** I think we should take a recess for lunch break and we'll continue with the morning agenda at 1:00 p.m. We're going to take a one-hour recess. Thank you all very much.

**At 11:57 a.m. council recessed.**

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

This file was produced through the closed captioning process for the televised City Council broadcast and should not be considered a verbatim transcript.

Key: \*\*\*\*\* means unidentified speaker.

**OCTOBER 12, 2016      3PM**

**Hales:** Council will now come to order, let me just reiterate where we are in the regular agenda and what we're going to attempt to do this afternoon. I have moved item 1140 to next week. We had a hearing on 1141 and it has moved to second reading. We have completed our action on 1142. In a few minutes we'll take up 1143. The second reading items on page 4 of our agenda items 1144, 1148 and 1149 we'll be taking action on today. The other three, 1145, 1146 and 1147, will be moved to next week, enabling us to get to part of the afternoon agenda, namely item 1150, and I understand we'll be returning 1151 to commissioner novick's office until a later date. That make sense?

**Novick:** Thanks.

**Hales:** Thanks, Steve. Appreciate your flexibility.

**Novick:** [audio not understandable]

**Hales:** don't take it personally.

**Novick:** I'm not taking it personally.

**Hales:** Let's take up 1143, please.

**Moore-Love:** Roll call first.

**[roll call taken]**

**Hales:** 1143. Come on up.

**Item 1143.**

**Hales:** Good afternoon.

**Satish Nath, Office of Management and Finance:** Good afternoon, mayor. I'm the enterprise business solutions support manager. With me is Celia heron from the omf policy unit. The action we're asking the council to take today is chief procurement officer to enact a contract with labyrinth solutions. Also known as lsi to implement sap enterprise management functionality for the enterprise system. Ebs has presented the enterprise asset management project to the technology executive steering committee and technology oversight committee and we will provide updates. I would like to talk about a few businesses [audio not understandable] for this project then we will answer any questions you have. City budget sap software in 2006 while the city is still paying for a full business suite we have implemented and currently use about 71% of the software. This project will increase from 71 to 87%. The enterprise asset management project will replace multiple shell systems in city bureaus which will make ideal recommendations of consolidations. The enterprise asset management project will consolidate current business processes related to collection and reporting of data for city-owned real estate property and finally, the enterprise asset management solution in response to a couple of audit findings in 2015. We're here to answer any questions you have.

**Hales:** Questions? Thank you both very much. Appreciate you waiting for this item. We'll see if there's anyone signed up to speak.

**Moore-Love:** Is there substitute, you want to move that?

**Hales:** Is there a substitute?

**Celia Heron, Office of Management and Finance:** It went out with the Tuesday memo yesterday.

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**Hales:** Sorry, is there a motion to adopt the substitute?

**Fritz:** So moved, would you like to explain to us what it is?

**Heron:** The substitution of the ordinance and the impact statement was after some discussion we had been on the council agenda last week and was pulled for discussion with water bureau and bureau of environmental services to address some of the questions. So part of the feedback was they thought the language of the ordinance could have been clearer in terms of the city-wide benefit. A component of a larger module will be city-wide implementation of the flexible real estate module. Other components will be a pilot for one bureau presumably other bureaus will have the option to add on to that as well. So the request is that the language is clarified on that point.

**Fritz:** Thank you.

**Fish:** Second.

**Hales:** Further discussion? Let's take a vote on the motion to accept the substitute.

**Novick:** Aye. **Fritz:** Aye.

**Fish:** I'm going to vote aye and thank the team for those conversations. They were very fruitful and the bureaus that I lead were grateful to sit down and work out some things.

**Heron:** It was a good conversation.

**Fish:** Aye.

**Hales:** Aye. Is there anyone to speak on this item?

**Moore-Love:** We had 16 people signed up. They asked me to read all the names.

**Hales:** They may be in the Portland building.

**Moore-Love:** 1143, David Davis, Robert west, Cecile Evans, Teressa raiford, Gregory McCelvey, Ashley langsdorf. I know she's here. Alicia young. Frank Martinez. The artist vanderlyn. Jesse sponburg, joseph Gordon, Ashanti hasu. Charles Johnson and Kelly François.

**Hales:** Come on up, please.

**Fritz:** People may be in the Portland building right now.

**Hales:** We'll find out if they are over there and let us know. If they are we'll make sure they get to come speak on this item. Good afternoon.

**Ashley Langsdorf:** Good afternoon. I'm Ashley Langsdorf. I'm here for truth about labyrinth solutions. I'm for justice about labyrinth no matter who it is for or against. I'm here as a longtime Portland resident, as a product of the Oregon public school system, and as someone who cares deeply about the people of our city. I'm here because I am an engaged, concerned citizen, mostly I'm here to share my words to lend my voice because I can. Because others can't. There are people who want to be here who wish to have their voices heard. Please know what you do here matters a great deal and there are people who want to be part of the conversation. The opposite of love is not hate, it's indifference. The opposite of life is not death, it's indifference. Your people want to talk with you. To work together to make Portland safe and just and well. Your people are passionate, frustrated, committed. They want to participate in this dialogue about their city, their safety, labyrinth solutions. Now is not the time to stop the conversations. These are hard, challenging conversations. Tempers can flare, emotions are high, but I have faith that we can work it out together. Please don't stop listening. Let us together find a labyrinth solution.

**Hales:** Thank you very much. Did we determine if there's anyone in the Portland building waiting for this item?

**Moore-Love:** I'm not sure.

**Hales:** Somebody can just text me if there's people over there. We might want to make sure that we don't exclude anyone but also not wait for people that have not stuck around.

**Fish:** Can we pick up some second readings.

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**Hales:** We'll set this item aside and go to second reading items on the calendar, which start next I believe with 1144.

**Item 1144.**

**Hales:** Roll call, please.

**Novick:** Aye. **Fritz:** Aye. **Fish:** Aye. **Hales:** Aye.

**Hales:** 1148.

**Item 1148.**

**Hales:** Roll call vote, please.

**Novick:** Aye.

**Fritz:** This is really an exciting project with 28 units to be rented to low and moderate income households and a mixture of 126 mixed use housing developments so it's a very good project. Aye.

**Fish:** Aye. **Hales:** Aye.

**Hales:** 1149.

**Item 1149.**

**Hales:** Roll call, please.

**Novick:** Aye.

**Fritz:** For a similar this has 22 low income units and 108 unit developments. Again, good project. Aye.

**Fish:** Aye.

**Hales:** Aye. Okay, did we determine whether there's anyone waiting in the Portland building to testify? I'm going to leave that item aside and we can take action on it the end of the day. Let's move to our time certain item 1150.

**Item 1150.**

**Hales:** Commissioner novick.

**Novick:** Colleagues, in Portland and in Oregon, we have set an example when it comes to progressive worker friendly labor policies. Portland led with paid sick and paid family leave putting pressure on the legislature to prioritize similar priorities at a state level. Oregon passed a much needed increase in the minimum wage, labor advocates, community groups are proud of their efforts in these recent victories. The momentum and urgency built around efforts by community advocates that improved the lives of workers across the state. So thank you to groups like the working family party, ufcw, and the fair shot coalition for bringing these issues front and center. I first started reading about the terrible impact of unpredictable scheduling for retail and food service employees a couple of years ago. The practice of scheduling people for random shifts without input from the workers makes it impossible for people to organize their lives and have any flexibility to arrange for childcare and commit to college classes. That's not what a fair work week looks like. We must ensure workers have access to a full paycheck. To be really clear, what I'm interested in ultimately is some common sense predictability so workers don't get a schedule on Saturday for a week that begins next day. I'm not talking about forcing employers to give set schedules week to week or month to month or capping the number of part-time employees. The legislature has preempted all cities from adopting laws related to employee scheduling until July of 2017. The legislators indicated they wanted to consider a statewide bill during the 2017 session. The preemption will sunset in 20 subpoena when the legislature adjourns. In the meantime, I wanted to partner with ufcw and the working families' parties to look at how Portlanders are affected. Earlier this year we hosted a roundtable discussion and heard powerful stories, one of which you'll all here in a bit from a worker participating, Jeff Doolittle. As I continued to listen I wanted to bring this resolution with three goals. First to highlight the real impact unpredictable scheduling has on some of our lowest paid workers. To thank those already using fair scheduling

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practices. We're lucky to have many businesses here in Portland who have already incorporated fair scheduling. My staff has met with others about this topic, many told us how they used best practices to, for example, I true to ensure employees know which day they are going to work a week or two in advance and no other employee bears the burden when someone calls in sick. Third, I want to encourage all employers in Portland to consider all there employee scheduling practices and make changes as appropriate to improve predictability for their employees. There were policies considered nationally that focused on retail and food services which studies show have the most radical unpredictability. Often these are low paid, earning at or just above minimum wage. This resolution calls on all employers to consider what we can do better. Work life balance is a real struggle no matter what our job is. As to Portland itself as an employer I think that as a whole in our collective bargaining agreements we strive to give employees advance notice of schedules but I'm sure there's room for improvement. I look forward to hearing from workers on this topic. Today's resolution is nonbinding but I hope employers take it seriously. In closing before I hand this off to invited speakers I want to say a few words about the need for a collaborative process if we get to the point of a regular ordinance here in Portland. Seattle just adopted a binding ordinance that goes into effect next year. While the vote was unanimous on the city council the discussion was not unanimous. I understand these concerns. It's important to have all stakeholders at the table and why I'm so glad new seasons has joined us today. If the legislature doesn't act to stop it, I'll be interested in asking council to consider an ordinance and I'm committed to a strong process that involves all stakeholders in developing a policy targeted to address the problem with consideration of business practices. With that I would like to ask the first panel of invited guests to come forward, dr. Mary king from psu, Carly Edwards from the working families party, and one worker that I believe is also with them.

**Hales:** Come on up, please. If we need another chair, just slide up another chair.

**Fish:** Can I ask a question of the sponsor?

**Novick:** Yes.

**Fish:** You said the legislature has preempted the right of cities like Portland to weigh in on this. How is that preemption structured?

**Novick:** I think it was pretty sweeping, something they passed in 2015, part of internal wheeling and dealing to get paid sick leave passed at the state level. They passed something that language is basically local governments are prohibited from taking any action to discuss employer scheduling practices.

**Hales:** Welcome.

\*\*\*\*\*: For the workers, jessica ricky, who was invited, I have testimony to read.

Unfortunately, she had to leave. I have a power point.

**Hales:** Okay. We need to get Karla to help with that. Why don't you read the worker's statement while Karla sets up the power point?

\*\*\*\*\*: This is Jessica Ricky's statement. Good afternoon, mayor hales, commissioners, thank you for the opportunity to tell my story. My name is Jessica Ricky, I work for coast to coast events. I'm a 33-year-old mother of three and a parental figure for two teenage sisters. My kids and I are trying to rebuild our lives after living in a domestic violence situation. That abuse situation lies at the heart of my story regarding scheduling. You see many victims of domestic violence never leave the situation. They stay and endure the slowly escalating fits of rage, outbursts and pain and bruises and blood until some unfortunately pay with their lives. There are psychological reasons why many stay but many stay because they have nowhere to go. This was the case for me. For my own life and the safety of my kids I left all the same. Because I had to leave the home to escape him I was immediately homeless with no means of providing for us. The best solution



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available to me for the first problem was to seek out space in a shelter. It's far from ideal to raise kids in a place like that and the Columbia newspaper in actually published an article with my family as the central example about the difficulties of getting them to school and managing homework when you have no home. The second problem I faced was fixed by finding work. I went to work for coast to coast event services, a contractor with the city, in September 2012, and was elated to have found work. I believed that I could pull myself up from my troubles and build my own model of the American dream if I worked hard, coast to coast was going to be my tool box. I realize that only my first few days working that I might be wrong thinking. First among the issues was I had to use public transit to get to and from the event sites that I was scheduled for. Sometimes the rose garden or convention center, sometimes Clark county fairgrounds or the gorge amphitheater. Often the moda center where the offices are located. How do I get my kids to school when I need to catch a bus at 5:00 a.m.? How do I feed them or help with homework when they schedule me for an event that officially ended at 9:00 p.m.? We had to wrap up, close down and my kids missed the night with their mother. Kelly Clarkson has a midnight thing for croquet and can't understand why it's safest for her to buy her own Starbucks, in case you ever wondered. We were still required to work through to the end of them. The managers were normally long gone by that time. How was I expected to get home when I relied on public transit but my shift actually ended at 3:00 a.m.? This wasn't the worst of it. One of the rules of shelter living is children can't stay without a guardian. That meant any event I was scheduled for ran the risk of running past the scheduled time and I had to get a hotel room. That means I would sometimes go to work only so I could keep my job and fix the broken life I was stuck in. I worked for them a little over six months and just wasn't scheduled for events after the third time I called in because I couldn't afford the hotel that day. That was one of the worst of my life. After three months I suffered from bell's palsy, a sort of stress induced stroke that left half my face immobile for a period. At that time, I was more stressed about the job than my ex-partner tracking me down or living in a shelter or the obvious trauma my kids needed help with. All these problems were avoidable if only they had had adequate staff and scheduled people for the event they could actually work rather than the event some manager decided on with no thought to their family situation. Instead the schedules appeared whenever. In the end the job was supposed to be the thing that lifted me out of my troubles. In Reality it was the largest source of my trouble during that period.

**Hales:** Thank you very much. So I think we're ready to move to your presentation with the power point.

**Mary King:** Great.

**Mary King:** I'm Mary king. I very much appreciate the opportunity to be here and thankful you're taking up this important topic. I'm a professor of economics at Portland state university and a labor economist. I will be presenting the highlight of a report which is the impact on Oregonians of the rise of irregular scheduling. I'll quickly provide you the highlights you have a link and I passed out a hard copy. It reflects the work of a lot of people as well as myself and is the first part of a larger project with the university of Oregon college, due out in January. I expect that by now you're familiar with the worst aspects of irregular scheduling. What we're learning from national research is that many more people than ever are facing very short notice of work schedules, frequent changes in their work schedules, extremely variable shifts and numbers of total hours scheduled, no guarantee of a minimum number of hours. On-call scheduling, requiring people to be available to work on days that they may not work and certainly then would not be paid or asked to work at the last minute. Being sent home early from a scheduled shift, being scheduled for shifts that allow very little time for rest such as a closing shift in the evening

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followed by an early morning shift next day, and a requirement of open availability for work at any time. There are clearly very large negative impacts on workers and families who are scheduled in this way. Uncertainty over how much they will be paid difficulty arranging stable child care, elder care or sick care, hard for them to attend school or pursue any kind of training. Health effects, stress, lack of sleep, very challenging to obtain a second job. It's hard on family life, friendships in the community and people discussing inability to plan medical care and even basic family gatherings. It's a significant policy concern. It's affecting a growing segment of the labor force. It's derailing education, training and career development for young people. It's particularly harmful for people with responsibility for the care of others and for those care recipients, and it's prevalent in the very occupations projected to add the most jobs to the Oregon economy over the next eight years. Retail, food service, hospitality and some other service positions. These are the top five occupations in terms of numbers we project to be added. We lack data for what's going on in Oregon and it was in response to that that I and my colleagues started this project. The big national surveys, the kinds of things like the census don't have the questions that would reveal these scheduling issues because they were written with the assumption of standard schedules. They are not even there. The second level of national surveys that have a question that can address it are too small for a decent Oregon sample to be pulled out as a state so our research project is to fill that gap and my own part of this project is an analysis of two sets of data. The first is the working family's party's fair work week survey. This is a very well done survey done all actually it's a lot done in Portland but there are people surveyed who come from towns all over the state, canvassers engaged people for one-hour face to face interviews, gaining their confidence. I was quite amazed at the things people shared, especially as the interviews were happening on the bus. 750 interviews provide substantial documentation that all the issues that are emerging nationally are very present here. I won't go through all the kinds of numbers with you. You've got them. But these are the exactly what you would imagine. Then a level of lack of ability to plan and see other family members that was really I found very moving having to read those answers. The second bit of data that I looked at was to look at the American community survey data. That census data, annual data, wanting to get a representative portrait of Oregonians in the occupations most affected. Compared with the labor force as a whole, they are a bit young sorry they are right in this moment of time trying to go to school, many of them, in higher proportions than the labor force as a whole, and to build a career and stable earnings trajectory. Despite the fact on average they are a little bit younger they have as many kids at home as the labor force as a whole. Have significant care responsibilities. As well as broad occupations I looked at some narrow occupations that are particularly affected. Cashiers, fast food, maids and housekeeping, and what those occupations reveal is what a poverty trap irregular scheduling is. People are working for very low wages, their primarily at the minimum wage, but their part time and few hours so low annual earnings, relatively high snap receive levels, relatively low health insurance coverage and no way to get out through either a second job or pursuing schooling. So people are raising their kids in poverty which I don't know if your aware is the most significant prediction of being in poverty as an adult is spending time in poverty as a child and it's based on what are you educational outcomes from stability in housing child care and this kind of thing so that's the research im happy to answer any questions at any time if you have any and I urge you to pass this resolution for the good of our city thank you.

**Hales:** No thank you, did you have more you wanted to present as well?

\*\*\*\*\*: I have testimony. I can't tell with the system in the other room, I have some testimony that I can hand out.

**Hales:** Some of them are coming over.

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\*\*\*\*: Can I find out if Monique is here? She's the invited testimony. I have your paper. [laughter] I'll let her tell her story. That's my biggest concern. You may or may not know that we had 50 people able to come. Some of them are still next door and some have had to leave. There's much support for this issue and many people did come to try and join us today and I'm sure would have liked for you to have been able to see them. Thank you all for your time to speak about scheduling issues in our community and thanks to commissioner Novick, starting this very important conversation. I'd like to take this opportunity to share some background of the Oregon working family background. We're working people, parents, representatives of community groups and labor unions who are determined to get our government focused again on the things that can make our jobs better, our families more secure. We worked with other organizations and groups to advocate for an increase in Oregon's minimum wage and paid sick leave for workers, which this city council helped pave the way. They're part of a strategy around workers' rights and scheduling practices are an essential piece. The recent victory on an increased minimum wage won't mean much without a predictable schedule. We're at the next and most essential phase because scheduling practices are an essential part of any job. In addition to extensive field surveys, we've also had small worker meetings to understand workers' issues more carefully and consider potential policy solutions. These workers come from a variety of industries and as Dr. King points out, many of the worst practices we see are in food service and retail. Most importantly, we have been developing a broad base of coalitions, such as Boeckel and Parks and Rec to support our cause. It includes UFW Local 555, Family Forward Oregon, Oregon Education Association, Oregon AFME, Oregon Nurses Association, Unite Here locally, the Oregon Trial Lawyers Association, Main Street Alliance and the Laborers. Many of our partners were here with us here today. We have outreached to our local neighborhood coalitions. Additionally, we've been coordinated with the Center for Popular Democracy, they have worked with local efforts in Seattle and San Francisco. When talking about the impacts of unpredictable scheduling and working without enough hours or too many hours, it is important to know that those with the power to make schedules are overwhelmingly white and male and those who experience the impacts of scheduling are women, people of color and parents. This information can be found in the data brief on retail jobs today. It is available on their website. We also know that erratic scheduling does work for some workers, usually younger and whiter. We can't ignore this issue because the system works for a few. This is why the Oregon Working Families Party is working in Salem to create common sense policy solutions to alleviate some of the burden placed on women and people of color and are urging the city to engage in this conversation. One thing the city can take action on right now is the relationship with city contractors. I encourage you all to consider that as you hear stories from city contractors and coast-to-coast events and Janice Youth. Their stories are compelling. Looking at your own practices as an employer and looking at the practices of companies you contract with could provide some relief for workers now. In closing, I would say the heart of this issue is ultimately about power. The power to control someone else's life, when they wake up, when they go to sleep, when and how long they may see their children for is all based on their schedule. Employers might tell you, if they don't like it, they can get another job. But if this issue is about the biodynamic experienced by whole industries, we can't put the solution to a systemic problem on individuals. I thank you for your time.

**Hales:** I thank you very much.

**Fritz:** Just a comment and I was really glad you mentioned Boeckel and the Bureau of Emergency Communications and Parks. I think certainly, Parks, I'm taking responsibility to look at how are our seasonal workers scheduled, how much advanced notice they get and in Boeckel we've got the AFME contract, which in some cases, is -- makes it difficult to get



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sensible scheduling and certainly, with mandatory overtime and so I think it's not just a big corporation, evil boss, it's our own workers and it's our city union partners, too, that we all need to recognize that this kind of scheduling is bad for everybody, for the customers and for the people who are working. I assuming that's something you're going to be doing commissioner looking into boec?

**Novick:** We are having those discussions at boec.

**Fritz:** since we had a contentious discussion this morning, I hope you're talking with Anna Kanwit from human resources to make sure we do make progress on that issue when we get to an agreement. Thank you.

**Hales:** Thank you very much. Thank you, both. I understand some of our invited speakers are here, as well. So, come on up. Good afternoon. Who would like to start?

**Sarah Jonitas:** Hi, everybody. Good afternoon, mayor hales. My name is Sarah jonitas. I'm the director for social responsibility at new seasons market. Thank you for inviting me here today about predictability and fairness in worker schedules. As new seasons market, we know our staff are our greatest asset. The amazing people that stock our shelves, that run our registers, they're the reasons our customers shop with us. We deeply value our staff and their countless contributions and we've always believed they deserve to have predictable regular schedule so they can care for their loved ones and take care of business and rest and recover. Our lifestyle scheduling policy reflects these values. We have predictable schedule and the right to rest between shifts. They are scheduled no more than five days in a row. Although schedules sometimes due fluctuate, we make every effort to maintain consistent schedules that balance each individual's employee's needs. Providing our employees with predictable schedules is the right thing to do, not only for their well-being, but also for our business. Thanks to our lifestyle scheduling policy, and other policies, our attention at new seasons market is very high and turnover is very low. 25% of the staff members we have with us now have been with us for over six years. And our rolling 12-month turnover at new seasons is 29% and that compared to 56% nationwide for retailers. Lower turnover and higher retention means lower cost to recruit and train employees and it's an indicator of their engagement at work. We're happy to see the city taking up the issue of fair scheduling with this resolution and we thank commissioner novick for his leadership on this. We're supportive of efforts to provide advanced scheduling and predictability and we look forward to being part of any future conversations regarding fair scheduling. Thank you, again, for your leadership on this critical issue.

**Fish:** I'd like you to explain to me why the bagel unlocks and it's so great.

**Jonitas:** We'll take that offline. [laughter]

**Fish:** You've highlighted that you have better retention lower turnover, which means a more stable workforce, which I hope means a workforce that feels good about their work. Flip that around for us for a second and give us a sense. You're competing for talent in a marketplace, in a very competitive marketplace. One thing I've noticed about the city is wherever you go now, once you find the new seasons, within a half a mile, you'll find three of four of your competitors. What advantage does it give you, as an employer, that you have these policies in place and how do you measure that when you're competing for talent?

**Jonitas:** Sure. Thank you for your question. I think a good indicator for that is when we opened our newest store in the university park neighborhood and we held a job fair and hired 150 to 200 staff members every time we open a store. We had over 1,000 people show up. We've seen those numbers increasing over time, as we've continued to add. We think that it's very clear that we're able to attract and retain talent differently when we take really good care of our people. So, I think it's as simple as that. Does that answer your

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question?

**Fish:** It's good for the employer and good for the employee. There's a certain sense to it. Thank you very much.

**Jonita:** You're welcome. Thank you.

**Hales:** Welcome.

**Teira Rainor:** Hi, thank you for having me, mayor Hales and commissioner Fish and commissioner Novick for reaching out to workers like myself. My name is Teira Rainor. I used to work at a coffee shop at the airport and I had to quit because I could no longer afford to work there. It takes two jobs in order to stay afloat, not prosper and do amazing things, just to stay afloat, to stay off of the social services radar. When I was hired at the coffee shop, they promised me a set schedule and I knew what days I was going to have off, which meshed perfectly with my other job, which is an on-call banquet server at a hotel. I was handed a completely different schedule after training that didn't reflect what I been told so I wasn't able to schedule enough shifts with my other employer to actually make it. Over the next seven months, my set schedule was changed eight times. One time I was asked; do you want to maintain this schedule with these off-days or do you want to go to this schedule with these off-days? I say, I want to stay. They're like, too bad. You're now on this schedule. That's the type of power the employer has and you don't have many options. And, what kept me in this job, part of it, was I had been a victim of domestic violence and my head went through a window as a result of that violence and so I was now trying to maintain \$800 a month apartment on my income alone instead of two. The way it affected was sometimes I got extended -- they wouldn't pull my till and I'm stuck there, held prisoner because they won't pull my till and I can't walk out without pulling my till. I don't have time to get to my other job anymore. It went on like this. The problem is, is I know they're scheduling can work. Back in the early 2000s, I worked for Arby's, they have to know exactly what they need because it takes 48 hours to defrost a roast, it takes four hours cooking that roast. If you run out of roast beef in your Arby's, wow. If they can do that and know how much beef they need, they can do it for the workers. I now work for a -- I know longer work at the airport, but I work for another company here in Portland. It is another on-call server position for a company that does on-site catering. I know most of my shifts one to two months in advance. As soon as the event is booked, they are filling it with people. You know, hey, I work this day. If they're able to do that, why can't other employers? Especially when banquet work is so volatile. If they can manage it. Hey, we need people every day at this exact time. They can figure it out.

**Hales:** Thanks very much. Welcome.

**Monique Monroe:** Thank you. Thank you for having me here to share my story. My name is Monique Monroe, I work for Janis Youth as a relief coordinator for run-away and homeless youth. I have been in the position of really coordinator for over a year. I average over 50 hours a week and up to 60 to 70 hours a week. I receive my schedule via email, text or call and my hours change daily as I'm on call five days a week. Even on my set days off, I am shamed into coming into work. For example, my coworker on one occasion had to work almost a full 24-hour shift because I was not able to come in. We are regularly-guilted into coming in. I was once advised if I didn't show up at 2:00 a.m., youth could not be serviced. There was one occasion where I had no choice but to decline to work at 1:00 a.m., I had just clocked out of a 21-hour shift. On another occasion, when I failed to answer my phone between 2:00 a.m., and 4:00 a.m., before a nine-hour shift, I was openly accused of being on drugs for not picking up the phone. As a relief coordinator, one of two spread between six programs, we are considered on-call. We do not have set schedules. We are expected to work when people are on vacation, call out sick or quit. The two days off are never consistent. They may start the evening of or the day of and end

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the evening of or the day after depending on the program needs.

**Novick:** Thanks for waiting until we could get started this afternoon.

**Rainor:** We're used to it. [laughter]

**Novick:** You cut the irony with a knife.

**Hales:** Do you have other folks?

**Novick:** I think that's the end of our invited testimony.

**Hales:** Others want to speak on this item?

**Moore-Love:** I show Kurt Hoffman, Greg and Valerie Stinson.

**Hales:** Are you still here? Looks like some are, yes.

**Hales:** Please, come on up.

**Moore-Love:** Paul was going to speak, as well.

**Hales:** Stand by. Welcome.

**Donna Zebb:** Hi, thanks for having me. My name is Donna Zebb and I work for Fred Meyers at Beaverton and I know that my story isn't so severe as theirs. I wanted you to hear. I work in the nutrition department. My manager has been off for three months and they're not hiring anybody, getting anybody to help us, there are only two of us that are working and our hours are increased and erratic and we need hours that are more scheduled and complex to each other. As a breast cancer survivor, when I got this job with Fred Meyers, I was told that for reasons, I needed a schedule that would work and wouldn't be all over the board. Sometimes, I only get five hours of sleep between shifts. For example, on Friday, I work at -- two days from now, I work at 11:00 at night and then I have to be back at 5:00 in the morning. I only have four hours of sleep. It's not safe and it's not healthy for my body and for being a breast cancer survivor, I think that's just going to make my body and -- and just going to set my -- everything off. I went to hr and went to the managers and asked them if they could get me a set schedule and they said that I have to deal with what they have to deal with. My manager's sick and hasn't been able to come back to work for a while so I'm doing manager's job and not getting paid for a manager's position. So, I feel that I think that, you know, they should change things and I would like to have a set schedule and also, they were giving me two days split shifts off. Like, I would work one day and then work three days and then have another day off. Your body can't rest and it's very, you know, unhealthy and, you know, we're lifting big, heavy things and it's easy to, you know, catch yourself off-balance when you don't have enough rest. I'm here today for me and my coworkers, if they would just have a set schedule, if I'm here until 5 -- if I get here at 5:00 in the morning all week and have two days off. That's what I'm here for and thanks for listening.

**Hales:** Thank you very much.

**Jeff Anderson:** Good morning -- afternoon. Jeff Anderson, secretary of treasurer, 555. The grocery industry and retail industry, in general, if you look at the whole retail industry, it's 5% unionized. Only 5%. So, 95% of the market weight is drawing down in an environment where I grew up in this industry where it was 40-hour jobs in the 60s and 70s and starting merging to part-time and went to a chronos computer scheduling system and it is creating an indentured workforce and they ask government to pick up the self-deficiency. This workforce needed to have a stabilization for quality of life. If there's one issue that affects workers at the very low economic strata is the retail. I've been told if everybody had to do something, there's not a competitive disadvantage. We're saying lift the competitive disadvantage and have people rise rather than everybody keeps going to the lowest denominator.

**Fritz:** You are in the union right in united food and commercial workers. Have you not been able to get any agreements at all in the contracts? About this issue?

**Anderson:** We've been unsuccessful in negotiating like I said 5% of the retail industry's

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unionized so it's very difficult to leverage in bargaining these standards. If was very similar, if you recall, as earned sick day, that we received it on the third day, contractually. Over the last 25-30 years, we've seen the roll-back to where the private sector workforce is 6.7% unionized so it's very difficult to use that inability to leverage the marketplace to make the gains that we would like. So, if you hear that, well, you know, the union's only doing this because we can't get it at the bargaining table, it's a canard. They are saying, we have 95% of the market. We're going to dominate and socialize the risk and give it to the taxpayer to pay.

**Fritz:** All the workers at Fred Meyer in ufcw?

**Anderson:** Most of them yes.

**Fritz:** That's one of the reason I shop there is cause I know it is--

**Anderson:** I believe Fred Meyers is a very good employee. We have somebody representing a problem. It permeates throughout the entire retail industry. It's much more difficult to get people to testify if they're nonunion because they don't have any protections in the work place. I think it's very brave. And I appreciate her testimony.

**Fritz:** Indeed, so thank you very much. I wanted to emphasize that normally you would think union would give you more clout and even with the clout of ufcw.

**Anderson:** It's still an uphill fight.

**Fritz:** Exactly thank you for being here and we'll see what we can do about it.

**Fish:** I have a low-wage contingent service worker in my household. It's interesting to have conversations with my daughter about her experience in the workplace. One of the concerns is about predictable scheduling and after being told she needs to work a number of hours extra. When I hear this very compelling testimony, it resonates because again, I have a young, contingent low-wage service worker in my household. As you look to a reform agenda and perhaps the legislature weighing in on this, what's the hierarchy of concerns you have? So, if you could be king for a day, would you address first, predictability? So you know over the next two weeks what your schedule is? Would you look at this question at employer's ability to extend your work day?

**Anderson:** If I had utopia, i'd have more than two weeks advanced knowledge. It's very difficult to get short-term appointments. In utopia world -- in Europe, they have a month, two months, six months. I would have predictable pay, right to rest, more hours separating. If you have only five hours of sleep, you should get time and a half. If you're called in eight hours after you concluded a shift, you would get four hours of that as time and a half. There's many things. The idea that a lot of these employers are cutting hours and yet, hiring more employees and they're keeping more people part-time and they use the chronos computer schedule to maximize, if you would, the cost. In essence, they're creating a higher turnover because they can see a profit in that.

**Fish:** You survey the workforce and you think about, who is it that has the most compelling claim on relief in this area of scheduling? Describe that person for us. Describe the person in the workforce who is the most impacted by what you think is the worst abuse?

**Anderson:** I think the person that's most affected is likely to be female, likely to be somebody who's of minority. Likely to be minimum wage. I think there, at the very bottom, they're not always what we think as people moving up, students working as they're going to college. Many of them don't have the social economic ladders to the middle class. Many of them feel hopeless that there even is a ladder or even a way. I think there's a profile of a worker out there that really needs to see help from government to create a minimum standard, what kind of society we want to create.

**Hales:** Well-said. Thank you, both. Good afternoon, come on up, folks. Welcome. Whoever would like to start, take it away.

**Kurt Huffman:** Hi, my name is Kurt Huffman. I met some of you before. I have a small



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company here in Portland. We partner with chefs and help essentially open whatever restaurant they dream up and we've done that now 20 times here in Portland. We now have about 550 employees across all 20 of those. And, I want to say that I'm enormously empathetic toward the concerns that people have. I also feel like I should take the opportunity to speak for the restaurants and businesses like ours that make it a priority to have business practices that are [indiscernible] to this kind of manipulative scheduling because it's truly not a part of what I would consider the Portland independent restaurant ethos. We're businesses -- I safely -- I was speaking to the owner of Pok Pok right before the meeting. We have restaurants such as ox, saint jack, cooper's hall. We have a whole number of them. And, we're restaurants that decide -- not because of the bottom line -- but because of philosophical beliefs that we should purchase locally. Across the board, our business practices are aligned with doing things in a way that I think promotes the kind of philosophical approach to business that this kind of scheduling law would want to support or promote. That said, some of the scheduling practices are completely [indiscernible] to how we schedule. Earlier this week, I met with some of the -- well, commissioner novick's office. Since then, have gone out to all my general managers to ask about staffing practices and asked them to detail for me what percentage of scheduling changes were the result of us changing schedules and what were the results of employees asking for schedule changes. 95% of schedule requests came from employees and 5% came from us. The 5% was exclusively a result of weather changes and changes and cancellations, by guests, of reservations. It's incredibly difficult to manager certain things with two-week optics, such as weather. Such as cancellation of a big client or a last-second reservation. These kind of rules put an enormous amount of burden specifically on restaurants like ours. I would feel remiss if I didn't take the opportunity and say we are trying to do the right thing. This really hits us in a soft spot and jeopardizes our relationships with our employees. The number one reason for employee requested change of schedule is childcare. Because suddenly, they lose a babysitter and they need to leave. The second biggest are health-related issues. So, we're -- it seemed appropriate for me to come and say, hey, there's those of us who work very hard at running our business the right way and this thing -- the proposal you're considering makes it enormously difficult for us and jeopardizes the relationships we have with our existing employees.

**Hales:** Thanks very much. Welcome.

**Valerie Stinson:** My name's Valerie Stinson. I'm the director of human resources for the old spaghetti factory restaurants has operated for over 45 years. A large percentage of our employees are students, single mothers, married mothers and other people who want and need flexibility in their schedules. That's why they've chosen to work in the restaurant business because we can offer that to them. We already post schedules two to three weeks in advance. We asked employees about their availability to we can work with their schedules. We base it on what their needs are. We work with them fully to modify their schedules when they need time off for medical reasons or school classes. But as kurt said, there are business reasons which might require us to make changes with less than 24 hours' notice. Our mission is to offer an exceptional dining experience to our guests. Our schedules are based on how many guests are expected. We try to predict how many guests we'll serve and they don't always plan ahead and sometimes they change their mind at the last-minute. Imagine it's Thursday and a party of 50 is scheduled. We've asked six employees to come to work 15 to 30 minutes to prior to get prepared and the party doesn't show up at all. What are we supposed to do with those six team members? A lot of times, they want to go home. They're like, oh, great, I can have the night off. In order to avoid a penalty then, do we have to keep them at work and if we keep them at work then we're taking work away from other servers who were already scheduled. If we cut them,



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then we're incurring more penalty costs. Those members aren't going to feel good standing around and possibly taking tips from their coworkers. The other thing that concerns me is this resolution would add another layer of administrative requirements to the already burdensome tasks of coordinating the existing laws that we currently follow.

**Fish:** Ma'am can I interrupt you for a second. We have the luxury of -- I think you're going to be our last panel. And I -- we want to get deeper into this subject. But I want to make sure we're not operating under a misunderstanding. Because there's nothing before us which mandates anything. We are preempted from telling you what to do. My understanding is commissioner novick is essentially beginning a conversation by flagging the issue and there is a very gentle encouragement in the one resolved. There's no legal authority to enforce other than to simply say as a values proposition, we encourage you to consider. Commissioner novick, you'll get all your time back, ma'am. I want to make sure we're not missing each other.

**Novick:** Commissioner Fish has accurately stated what is before us.

**Stinson:** So what you're saying is there is no mandate about the penalty pay.

**Fish:** I'm going to shut up so you can testify. One of the things I'll ask you is, since we're not mandating anything here and commissioner novick is ventilating this issue and it's something the legislature might take up, to the extent you want us to understand the unique characteristics of your industry, maybe loyal legion. Tom briggs is a friend. And spaghetti factory, where all of us have taken our kids for birthday parties. I encourage you to follow-up after this hearing with an email or letter to us, letting us know about the unique characteristics of your business or industry because we need to know that. We're not mandating anything. All commissioner novick is doing is framing an issue of concern.

**Novick:** I don't think you were here from my introductory remarks. If the legislature doesn't take action in the next session, I would be interested in asking council to consider an ordinance. So, certainly, you would expect -- I would expect you to participate and for us to hear what you have to say if we get to the point of developing a legal policy.

**Huffman:** Perhaps we're framing our concern about the framing of a policy.

**Fish:** I thought I heard a concern about a mandate.

**Stinson:** That would be my biggest concern. If there is some sort of penalty pay because many of the situations that cause us to change schedules, we have no control over. It's a business need. Again, I know this isn't on the table, if we were then going to have to monitor, what time did we call this person? To call them off. Is somebody's clock a little different than somebody else's. They happen in the real world, just like with the paid sick leave. Employees try to take advantage of it and there's not a lot we can do so that's my concern, that it adds more burden and expense. I'm supportive of predictive scheduling.

**Fritz:** How much notice do they have of what their schedule's going to be is it next week?

**Stinson:** We post them two to three weeks in advance.

**Fritz:** Is that for a week's worth or two weeks' worth?

**Stinson:** When you post it, it would be maybe for two weeks. Then you post it again.

**Huffman:** Any responsible restaurant here in Portland has always two weeks of schedules up at any one time. People always know way ahead of time what's happening. That's just part and parcel. One circumstance also to remember is that in our industry here in Portland, we are not fully-staffed at any of our restaurants and we haven't been for two years. We have posting out, especially for kitchen labor. We simply cannot hire enough people. And so the idea of us even being in the circumstance where we can mistreat people or change people's schedules is crazy because we can't hire enough qualified people to work in the kitchen.

**Fish:** I kind of know that, actually. What are the websites you post job sites at?

**Huffman:** Poached or craigslist?

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**Fish:** I was looking at poached. What struck me was the number of jobs, like front of the house, and wait staff jobs, in restaurants I'd heard of that were on that website. It occurred to me that there were a number of openings.

**Huffman:** And I think the reason you've never heard complaints from independent Portland restaurants is because we're three to four years ahead. We couldn't pay anyone \$9.75. We wouldn't have anyone in the kitchen. So, the idea that we're, you know, that we're pursuing -- we're four to five years ahead of what legislation is in terms of minimum wage. Those are the conditions that independent Portland restaurants have to work in.

**Novick:** I wanted to ask you a question I asked Curt the other day. I've heard of some restaurants in some places that have adopted a practice of when you make a reservation, you have to put a down payment so if you miss the reservation, the restaurant gets some compensation. It seems to me if everybody went to that system, then the restaurants would have revenues to sort of offer the penalty pay to employees.

**Stinson:** We don't currently do that.

**Huffman:** Do you take reservations?

**Stinson:** We do take reservations. We don't charge any kind of a penalty if they cancel.

**Fish:** There was a story of Roy Cone, the notorious red-bating lawyer who once was -- had to wait an hour in a restaurant in New York and he ended up sending one of his billing statements to the owner of the restaurant and the owner got a bill for \$400 and he called them and he said, why are you billing me? He said, well you wasted an hour of my time and that's my hourly rate.

**Hales:** Welcome.

**Greg Astley:** My name is Greg Astley. I'm the new director of government affairs for the Oregon restaurant and lodging association. Commissioner Novick, I'm sorry we missed your earlier comments. We weren't able to get into the building and hear that. We appreciate the time you've given us here today. Really, what I'm here is to just communicate from our 2,800 members that we are here as a resource for you. We want to be part of the ongoing discussion and the discussion at the beginning and not after things have been decided. We recognize the serious nature of this issue. Clearly, again, we have a lot of members. Kurt and Valerie, they do good practices. They have to or they won't be able to stay in business. We want to make sure those folks are available to speak with you regarding this issue. So, any options that come up, we would like to be a part of that conversation. We want to be partners with you to make sure that Portland continues to be the great, livable city it is, a destination for people to come and visit. We have a tremendous brand in the state of Oregon and the city of Portland. It's evidenced by the people who come every day, every week, every month and spend their money. We want to make sure you're aware we're here and have that discussion and be a part of the conversation.

**Hales:** Thanks very much. Anyone else that would like to speak on this item?

**Moore-Love:** Is there Paul Rainer?

**Hales:** Let's take a vote on the resolution.

**Novick:** Sometimes, there are big issues that are all around you that you don't know about until you read about it in the New York Times. That was the case for me here. I had no idea so many people live their lives never knowing when their next shift is going to be. I called up my friends at UFCW and said, do these things happen to workers in Portland and they said, you bet they do. So, it has been a great honor to work with Jeff and the working families party on this issue and thinking about this issue. I also really, really appreciate the work of Andrea Valderama and Katie Shriver and my staff who have dedicated countless hours. I wanted to thank the business representatives, owners and management folks who have been willing to engage in discussions about these issues with us and I really

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appreciate the workers that came here today and were able to wait quite some time in order to speak to us. I am committed to working on this issue by closely-monitored next year's legislative action. I think we should have conversations about whether this should be part of the legislative agenda. I definitely want to explore the idea of taking action here in Portland. We'll have a robust public process and have a lot of input from stakeholders. Thank you, members of the council, for hearing about this issue. I vote aye.

**Fritz:** I was interested in the testimony from the working families party and dr. King about it's more prevalently challenging for women and people with color cause I've had multiple experience in this in my jobs growing up. My daughter also has been working in retail and earlier in the year, commissioner novick was thinking about could we get something done in Portland before the legislator preempted us, I would take some of the suggestions back to my daughter and she said no no no because she was doing double-backs and she would not want that change unless there were some guaranteed work hours. So, it cannot be just the scheduling. It has to go along with set work hours. I mean, enough hours in the week to make it worth going to the job in the first place. We also had this discussion earlier in 2009 or before that with the service workers contracts at memorial coliseum. It is something actually we do have work in our city government to having scheduling challenges and we should look into that. I was concerned to hear the testimony from the lady who works at janis youth services, that is very prevalent in foster care and youth care facilities, having helped picket line once at trillium services when they settled for a 15 cent an hour raise. Really very challenging when they're working with families and children and yet the staff are not paid properly. So I very much appreciate you coming forward and for starting the conversation, commissioner novick. And, yes, indeed, we should be paying attention in the legislative session and hopefully we'll get something done there. Aye.

**Fish:** This has been a day with a lot of drama. I think this is our last item here?

**Hales:** It is.

**Fish:** Commissioner novick, thanks for putting this on our agenda. You said sometimes there's an issue around you but it takes an event or leadership to actually elevate it. Years ago in another life, I represented healthcare workers and healthcare workers in New York, kinetic and new jersey formed a union because they weren't received healthcare. Well, there was a time when obviously, that was the norm or acceptable. When we think back in time, it's ridiculous that someone could work in a hospital and not have a health benefit. How could that possibly be? That, in turn, sparked a drive to get fair wages and healthcare benefits. We do progress when issues are flagged and we come together. I was very struck by the testimony today and I thank the folks who came out and who braved this day and were willing to stick around and this is something that I hope we seriously consider for our legislative agenda and as to the concerns that have been raised by some folks who came today, talking about their unique industry, I'm reminded that when commissioner Fritz led an effort around earned sick leave, a lot of the time she spent was actually trying to understand different workplaces and the different cultures and expectations of workplaces and we had some very vigorous discussions. I remember, both with private employers and our labor friends. If we ever get to the day where this council is involved in any kind of sausage making, I think we can assure that our friends in the business community, we will engage and talk about and be very interested in learning the unique characteristics of each workplace so we strike the right balance. That is not what Steve is proposing now. It is to raise visibility around an issue. For that, I'm grateful. Thanks to everyone who testified and thanks to our friends at ufcw 555 and the working family parties and others who are in the forefront of this movement. Aye.

**Hales:** Thank you, commissioner novick, for shining a light on this issue and bringing a helpful coalition of people here today to teach us a bit about it and start a conversation that

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needs to lead to policy. Appreciate professor king living up to the psu motto of letting knowledge serve the city. Very illuminating and complete information. Ufcw local 555, paying attention to people and their needs in our community and responsible employers who are here to be participants in that discussion. It's heartening to see that. I understand the concern from employers about regulation. But of course, we don't regulate any industry because of the responsible people. Hammurabi created the first building code in 1700bc. I went to work, in my very first seasonal job, as a 16-year-old, working for a painting contractor, before osha required ventilation. The heim company was issuing the proper kind of charcoal respirator so they would be protected. They were responsible employer. Osha did need to require that every contractor did that because some didn't and that's why we have to adopt regulations. It's not because of the responsible ones, but because of irresponsible ones or ones that are lagging. To the subject of preemption, the legislature should act first because it would be better to do this state-wide. There's some issues where it's probably better for us to lead. This would be a great issue for the legislature to lead on first. The discussion about preemption has evolved a little bit. So, again, I think this is a good discussion to start. Often cities have led these issues. I'm proud of the leadership we've shown and far before that. I think when I was a relatively-new city commissioner, we were adopting marriage equality. Having cities taking public policy positions and think about the people we serve in new ways like this is great and its sick leave, it's \$15 an hour, a lot of cases where the city has done the right thing and that ultimately in many cases has paid dividends. We're in a housing crisis in this city, our housing crisis went up higher than any city as chief tub-thumper that I shouldn't keep bringing up. Our workers are really under pressure. If they can't make a living wage, if they can't have the hours they need to pay their rent, as she was describing. Clearly, that's a big problem and it's a problem that gets exporting to everyone else to help solve so this is a really important discussion. Steve, I'm really glad you've started it. I look forward to having it become public policy. Aye.

**Moore-Love:** We need to vote on 1143.

**Hales:** Did I miss something? Okay. So, we've adopted the substitute and now --

**Moore-Love:** No one wishes to testify.

**Hales:** We approved the substitute, didn't we?

**Moore-Love:** Yes.

**Novick:** Aye. **Fritz:** Aye. **Fish:** Aye.

**Hales:** Aye. And now we're recessed until 2:00pm tomorrow.

**At 4:27 p.m. council recessed.**

**This file was produced through the closed captioning process for the televised City Council broadcast and should not be considered a verbatim transcript.**

**Key: \*\*\*\*\* means unidentified speaker.**

**OCTOBER 13, 2016            2:00 PM**

**Hales:** Good afternoon and welcome to the October 13th meeting of the Portland city council. Please call the roll.

[ roll call ]

**Hales:** Welcome, everyone. Appreciate your involvement this afternoon. We have a single item on the council calendar. I'll get Karla to read that and we'll get started.

**Item 1152.**

**Hales:** Thank you. Thanks, everyone, for being here. Appreciate your involvement. Today we're here to take more public testimony and we're relying on that to tune this plan and make it as helpful as possible for the future of our city. Before we start, I want to go over logistics to make sure this process goes smoothly. You can also testify in writing or by email or online with the bureau of planning sustainability's map app. And we recommend that you do that in addition to or to complete testimony that you might make here today. Want to acknowledge we continue to receive written testimony and in various electronic and paper forms. And that's very helpful to all of us. We're taking in a lot of information. So written material is quite helpful. To maximize the number of people that are going to be able to speak this afternoon, I'd like to limit oral testimony to two minutes each. And that gives you a chance to summarize your points. If you can't get it all in, you can follow up by email or in writing. And we do read these materials. If you are testifying about a specific property, if you can, don't forget to tell us the address just so we can note that in our own notes that we're taking as we go along. The content of your testimony is more important than the number of people who say it. So if you are here with a cause or with a concern in the community that has a lot of others in it, it's helpful if somebody summarizes that and people indicate they are on board rather than we hear the same thing 20 times. Again, we're going to try to hear as many people as possible today. And I know we have about 30 people who signed up last week because we had a hearing then. And we're going to take them first. I don't believe we need to take any staff presentations before we start. We did that the last time. We have a work session scheduled for October 25th to discuss testimony and identify potential amendments that one or more members of the council are interested in. And then there's a hearing tentatively scheduled for November 17th to allow you to comment on the amendments that we do propose. And keep an eye on our city calendar through the council calendar to make sure that's the date we stick with and that's the date we have in mind, November 17th. So with that, unless there's anything else I've neglected to include, we'll go back to the testimony list, which was not completed last time and start where we left off.

**Theren Park:** Good afternoon. I'm Theren park, chief exec of the delivery system which includes 8 hospitals in outpatient services. This testimony is specific to province Portland medical center. We have been successful in reducing our single occupancy vehicle rate from 88% to 68% over the last couple of years. And we remain committed to that work. However, our future is dependent on flexibility within the tdm strategies and what is effective for our campus. Operationally that includes how we partner with public transportation, our neighborhood associations with the city on how we implement the tdm. If the city adopts a tdm strategy that requires pay to park program, that could have a negative effect on our operations on our partnerships that we currently have. And most importantly on our care givers. A requirement of pay to park could affect and will affect our



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lowest wage care givers that we have at providence Portland medical center and would affect them the most. What we would respectfully request of the city council is to not adopt a tir and tdm regulations. A complete package including the administrative roles should be made available on the tdm regulations for hospitals and we would like the opportunity to review that for public review and comment.

**Hales:** Thank you.

**Fritz:** Can you just tell me where is that regulation about pay to park, where about is it found?

**Hales:** Michael can answer.

**Michael Robinson:** Good afternoon, mayor, members of the council. My name is mike Robinson here on behalf of providence. Can I step back to my chair and tell you where that regulation is? Do you mind?

**Hales:** Sure. That would be helpful.

**Robinson:** Thank you.

**Robinson:** We have a lawyer short. You might be happy about that. Let me make sure I have the right regulation. So council, in 33.266.410.a, this is under the transportation parking section, section a purpose. Describes the methods which tdm will reduce single occupancy vehicle travel. And one of them is pricing. We understand by working with our friends at pbot, the pricing includes charging employees for parking. We also have a handout given to us in July that shows a point system, which we thought was an encouraging way to address an objective system whereby we can try and use strategies to reduce beyond the reduction we've made. Under one of the strategies is pricing, charging employees for parking. Now, this version doesn't have a percentage figure. When we met the first time, the points you would get was 40%. So almost half of the points you'd be awarded for successful tdm strategy is pricey. And that is charging employees for parking. That's where you find this information. And let me do my testimony. It's only going to take 30 seconds and I'll make a final point. My name is mike Robinson. I'm here with Mr. Park on behalf of providence health and services Oregon. We have two letters we've submitted to council. One by myself and one by Portland providence medical center. And our primary concern is the lack of the administrative roles. That's really how the council will understand how tdm will be achieved. What we have asked pbot and we still think this is a reasonable request. Not only in title 33 but then the regulations in title 17. Let's see what the administrative roles look like. May be we're able to resolve our concerns. But as Mr. Park said, our primary concern is we're adopting the regulations and set this process in motion. We haven't done the rules yet. We don't know what they are going to look like. Our primary request is let's get the package, if we could, the complete package before we adopt the land use regulations that set this in motion. That's all I have for today.

**Fritz:** And obviously having been a nurse myself transit doesn't run from the hospital that I used to work to the house I now live in. I will be very interested to see what's going on. Thank you.

**Robinson:** Thank you.

**Richard U'Ren:** Good afternoon. My name is Richard U'Ren. I live in the alphabet district of Portland. I appreciate the opportunity to testify in favor of the proposed f-a-r reduction in historic alphabet district. I've also provided a written testimony. All of us who own property are aware of the privileges and restrictions of living in historic district. Two lawyer owners are unhappy with the obligations that come from owning property in such a district. Their objection centers on the floor area ratio for new buildings which means they cannot build the oversized 160-unit apartment complex they have in mind. They have been trying for several years to build something on the property between Hoyt and Irving on 18th street. Their proposals have been opposed because the buildings they want to construct in order to maximize their investment is out of scale with the surrounding historic neighborhood. They are asking to have their property exempted from the proposed zoning. They have also threatened to sue the city if the council refuses exemption. They have not stopped

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with the threat of lawsuit. They have cleverly attached their personal agenda to real and difficult housing issues the city currently faces. They have woven the desire of personal gain into a narrative of affordable housing and not in my backyardism. Because they are high level housing agenda issues, their efforts have fallen on receptive ears. Been able to enlist media outlets and two non-profits to spread misleading information under the umbrella of their chosen narrative.

**Hales:** Going to ask to you wrap up soon. You can give us the rest of your written testimony.

**U'Ren:** Several examples of misleading information are included in my written testimony. Threats and mis-information are not unique in public discourse. But it is our hope your decision will be consistent with the provisions in June and not with the individuals who are asking for what amounts to a spot exemption for the property. Thank you.

**Hales:** Thank you very much. Thank you, all.

**Hales:** Welcome. Good afternoon.

**Bob Schatz:** Thank you. I'm bob schatz. I own property at 123-311 SE 97<sup>th</sup> avenue it's three properties together that add up to 54,000 sq feet. I Plan on developing it. The reason why I'm in front of you today is the planning bureau plans on changing the zone from this property from ex to eg1. In doing that in the ex zone, I am allowed to build apartment buildings and retail space in commercial buildings. In eg1, I am not allowed to do that. I'm currently building the first of six buildings. By doing -- by making this change, I won't be able to continue. This is what I do for a living. I own apartments, I rent apartments. I don't know anything about industrial land. I didn't buy this property to be an industrial manager. I urge you to not allow this change to happen. I'm 51 years old. I've been working since I got out of college to get to this point. And plans in the next ten years developing this property to very nice apartments and mixed-use buildings. This is planning to be my retirement. I'm going to hand this down to my kids. If it gets changed to industrial, I don't know what to do. I'm going to have to probably sell it and start over. So I urge you, please, to let it stay the zone that it is.

**Hales:** That was 123 Southeast 97th?

**Schatz:** Yes.

**Hales:** Make sure I heard that right. Thank you very much. Thanks. Good afternoon.

**Tim Ramis:** Mr. Mayor -- mayor, for your record tim ramis thank you for the opportunity on comment on the zoning on a property and comprehensive plan designation. The address is two properties. 1434 and 1512 southwest 58th. I have two short comments I'll make based upon the letter I've submitted. The first is I want the record to be absolutely clear that I wholeheartedly support and join in the commitment made by my neighbor Michael foster that this land will not be developed without creating a sidewalk along southwest 58th. A sidewalk is a critical connection from michael's home further up the hill to the amenities and services in sylvan and it's been my commitment to him we make sure that happens. You will recall the concern of the staff has been at least in theory someone might try to develop that without a sidewalk. We won't do that. You have our commitment to that. Second, even without our commitment to get the sidewalk built, you have every ability to impose the requirement. You see in photographs of the other projects in the area which have extended the necessary sidewalk network along the street. And I provide with my letter excerpts from the record of two current projects which are in development and in development review. Both of which have been conditioned to build sidewalks on 58th. No objection to the developers. Clearly, the city has the ability to require. Thank you.

**Hales:** Thank you. Welcome.

**Brian Carlton:** Mr. Mayor and members of the city council, my name is Brian Carlton. I apologize, I'm going to read just to stay on task. I'm here to comment on the planned modifications to longstanding floor area ratios in the alphabet district. I'm currently working on a potential affordable housing project in the neighborhood. I'm working with nha and care deeply about affordable housing. The reason I'm here is to address the greater

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impact in the alphabet district can have on this neighborhood, other inner city neighborhoods and our metro area as a whole. Not only is allowing for higher densities in our inner city neighbors a staple. It is also a key ingredient in our effort to provide housing for low and middle income citizens. While it is never the right time to restrict access to neighborhoods that offer connections to jobs, public transit, shopping and services, it is especially short sighted to do so at a time our city is struggling to provide housing and many in need of a place to live. As you all know the Architecture firm that received several awards for our historic preservation, I care deeply about the historic fabric of the neighborhood and believe historic resources should be protected. I also believe history should be viewed inclusively and in the case of the historic alphabet district one cannot protect the district without the architectural diversity. The mix of historic buildings Ranges from two story Victorian homes to six story apartment buildings to religious, cultural and commercial buildings. While they were introduced in 1903, taller apartment buildings added life in the neighborhood and opened it to more economically diverse group of citizens. I believe preservation and development must not be at odds. Neighborhood friendly development at higher density and scale is possible and Portland already had guidelines and review mechanisms in place to ensure new development sensitive to historic resources. And also we did written testimony and within that testimony we did some analysis on what we consider available land for development and cut out historic resources and that type of thing. There's actually a very limited opportunity to overwhelm the neighborhood, so to speak. And the 4 to 1 ratio on the available land is appropriate for the context of the neighborhood.

**Hales:** Thank you. Thank you very much. Thank you, all.

**Hales:** Welcome. Good afternoon.

**Mike Connors:** I'll go first. Thank you. For the record, I'm here on behalf of space age full and pliska investments llc who owns and operates several gas service stations throughout the city. We're here to submit both oral and written testimony in opposition to the planning commission recommendation that all drive-thru facilities east of 80th avenue be prohibited. What we're asking you to do is to adopt the staff recommendation that was developed below before the planning commission. I'll explain briefly why. First of all, we understand with the mixed use zones, there's a desire to make them pedestrian friendly. But you have to balance that against the need for uses. Gas stations being number one. Cars are going to be around for a long time. And you wrestled with that in the comprehensive plan it adopted policy 4.24 which said that prohibiting drive-thru facilities, gas stations is a subset of that in central city and restricting it in the inner-ring districts. But no other policy. Staff took that, carried that forward and came up with own recommendations and spent months talking with us and many other stakeholders to come up with the right balance.

And introduced a recommendation that basically allows drive-thru facilities in the ce zone only. And then prohibits it in the remaining mixed-use zones but existing facilities do have the right to rebuild, upgrade or remodel. What happened in the planning commission level is after the public testimony during the work session, one of the commissioners proposed this new policy.

There's no analysis of the policy. Staff recommended the planning commission not adopt it. We strongly encourage you look at the deliberations. Some of the commissioners have voted for it weren't really in favor of the policy they just wanted to get the issue to have you discuss it. We think there's several problems of it. It takes away a need in a very large part of the city for gas stations. It penalizes those businesses that have developed those in there rendering them non-conforming uses and prohibit them from remodeling those facilities. What we ask you to do is adopt the staff's recommendation that was developed with your comprehensive plan policies and real thorough analysis. I appreciate you letting me go over.

**Fritz:** Presumably the car washes are also drive-thrus aren't they?

**Connors:** Drive-thrus are a broad group a coffee places that you drive up to.

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**Fritz:** I hadn't actually thought of a purpose of a garage or car wash. Which car washes are more environmentally sensitive than soaping it up in your front yard. Thank you.

**Jim Pliska:** My name is jim pliska. Manager of Pliska Investments owner of space age fuel. And we have four facilities that are affected by basically not allowing drive-thrus as making these nonconforming use. And we've been in business for over 30 years and have these facilities.

And we want to continue to service the areas out there. And I feel it's real unfair for us to upgrade these facilities in the future. There might be other forms of fuel in the future that cars may use, et cetera. And I think it would be very short sighted not to allow the upgrade or rebuilding the sites for fueling facilities.

**Hales:** Thanks.

**Hales:** thank you. Thanks very much for coming. Welcome.

**Hales:** Good afternoon.

**David Schoellhammer:** Hello. David schoellhammer. I chair the land use committee for the sellwood Moreland improvement league better known as smile. Our neighborhood has 2.8 miles of corridor experiencing growth. We seek to improve the quality of the mixed use buildings and preserve the desirable qualities and charm of our neighborhood. I will address changes proposed by the psc. Ellen Burr will discuss our request for design overlay and Rachel will testify later today. First, Smile supports the business alliance support the psc changes regarding store front areas, specifically cm 1 zoning southeast 13<sup>th</sup> avenue south of Tacoma street. Second, the psc proposes to increase the building height bonus from 3 to 5 feet for a tall commercial ground floor. We oppose this increase. Tall mixed use buildings can dwarf residences and deny solar access. The psc proposal favors commercial property values over the quality of life and property value of abutting residences. The mixed use zone project includes a height step down within 25 feet of some abutting residential properties.

The psc proposes to apply the tall ground floor bonus to the step down height. We oppose this increase. It would further sacrifice quality of life and home equity of commercial space. In summary, we support the tall ceiling bonus presented in the proposed draft report from the mixed use zone project presented in May and oppose psc changes in the recommended draft you are now considering. Thank you.

**Hales:** Thank you. Thanks very much. Thank you, all.

**Hales:** Good afternoon, welcome.

**Ellen Burg:** Good afternoon. My name is Ellen burg. And I'm representing the smile neighborhood association. Thank you for the opportunity to testify. Our written testimony includes many details which I will not go into here. The Sellwood moreland improvement league is requesting you expand design overlay to our neighborhood. We understand that we do not meet one of the criteria of the mixed use zone project for the D overlay. We are not a comp plan designated to the urban center but mixed use neighborhood. We do meet the other criteria which states an D overlay is being expanded to those areas expected to see the greatest amount of development in change and warrant additional design oversight. In 2014, we had 5,927 housing units. As of a couple weeks ago, we're expecting an 18% increase with 1,119 additional units of multifamily development in the pipeline. This number does not include the increase in the two years between the 2014 census and now. Compare this to division a town center expecting 700 new units, lloyd center with 1,000 units. Both of these have an D overlay. If you apply this D overlay, you need to apply it to all neighborhood centers. We've included a chart and do not have our amenities nor experiencing anywhere near our growth. A little history here. One of those is Multnomah village. Both the east Portland community plan and southwest community plan were initiated. But in 1996, ballot measure 47 resulted in property tax cuts and the early suspension of these neighborhood planning programs. The city turned its focus elsewhere and sellwood moreland did not get to partake in the southeast community plan. Through the community plans, three southwest neighborhoods received a design overlay in their



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centers. We asked to receive the design overlay in parody with these southwest neighborhoods. Thank you.

**Hales:** Thank you. Good afternoon.

**Christie White:** Good afternoon. My name is Christie white. I'm representing the university of Portland and 5000 N Willamette boulevard. We had prior testimony in a couple letters in the record. I'm going to go over 3 of the 5 issues we have remaining up and down the c-l zone. And just want to express that university of Portland largely supports the ci zone project as it applies to its property. The first one is building length. The new c-l zone imposes a 100 foot building length. We have just completed our first dorm project and did it under the design standards that were adopted under our conditional use master plan. And those standards were endorsed and approved by the university park neighborhood association. Those design standards don't carry the 100-foot limitation but articulations and breaks. We don't want to have a situation where our master plan expires in 2023. And we have additional dorm projects and this standard changes and we have inconsistent design because it's really important on campus environments to have consistent design of those same buildings. The other thing is if we apply the 100 foot break to the dorm project, we would have lost 52 double occupancy dorm rooms which would accommodate 104 students that would be living in the neighborhood and understood our student enrollment. Those neighborhood associations and neighbors would have students on our campus. The 200 foot building set back. There's a 200 building foot set back imposed. This might be unique to the university of Portland. I'm not sure. I didn't check. But what it's doing is just taking our current master plan provision and putting a 200 foot building set back. What that did is convert a 10-year condition to a permanent condition under the c-l zone and provide a big gap over the long-term. But still apply our design standards. And if I can take a few more seconds. Thank you. The last one is on the c-l boundaries. The c-l currently, don't include all of the properties that are in our conditional use master plan boundary. So the site is in our master plan boundary. It was planned and evaluated. But it's not in the c-l boundary. Which would mean we later have to do a type three amendment process to include properties that are already in our boundary and be able to develop them. Every property in our c-l boundary or our master plan should be in the c-l boundary.

**Hales:** In that case, the property is in the master plan and under the university's ownership.

**White:** It isn't yet. There's a master plan condition that says it's in our boundaries but we're not allowed to do anything on it until we own or control it. Though it's been planned and has f-a-r limitations. But we can't do anything.

**Hales:** You don't own it yet?

**White:** We don't own it yet it's just in the boundaries.

**Hales:** All right. Thank you.

**White:** Thank you.

**Hales:** Good afternoon.

**Kathy Birch:** Good afternoon. Can you hear me? I've not done this before. My name is Kathy birch. I'm a resident and homeowner in the Richmond neighborhood. I've been there for 30 years.

My property is currently zoned r5 and the zoning is to change to r 2.5. First of all, I wish to support the testimony given last week by Richmond resident who described and displayed pictures of several single-family homes that had been bulldozed and replaced by two houses in the \$800,000 category. This will not solve the affordable housing problem. I think that adus are more consistent with the design because then one set would go with both buildings. Having supported her testimony, I would like to add other ideas. I know there is a lot of pro and con regarding density. Instead of picking sides, I want to pick how density is designed. I personally am upset over removal of mature trees to squeeze in property new buildings from property line to property line. The building style is rationalized as a response to global warming. Within a mile or so within my home, many mature trees which



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have served to clean the air. Take up water for free, unlike the fancy swales. And visually grace the neighborhood. I guess I better scurry ahead. I would also like to refute the idea that minimum parking in new apartment structures is a bad idea. According to people that I heard last week, having a parking place for one's car necessarily incentivizes one driving it into the downtown. My son and his girlfriend are 25. They ride their bikes to work. But keep their old car for weekends to go and do all those things that Oregonians do outside. Seeing that one will stop people from having cars by denying them parking is kind of like suggesting that we curb teen pregnancy by forbidding the sale of condoms to people under the age of 20.

**Hales:** Thank you very much. Thank you. That's got to be the best metaphor we've heard this week.

**Hales:** Good afternoon.

**Kevin Flanigan:** Hello. My name is Kevin Flanigan. I own inland sea maritime groups located at 3255 North Hayden Island Drive. Mayor and city council members, thank you for allowing me the time to address the city council today on this important issue. My testimony will focus on the eye overlay zone and the comprehensive plan. This overlay is inappropriate for Hayden Island and should be removed from the industrial land on the island. Hayden Island does not meet the criteria of the overlay. Mainly, we have no railroad access on the island. Currently, trains do not stop on the island and there are no plans for such a stop. Additionally, the island is limited for truck access due to a single bridge on the island. Due to these constraints, it's unfair to apply them to the industrial lands on the island. This is the gateway to the city and needs to remain flexible to accommodate future developments. Directly across the river in Vancouver, the water front is being developed similar to the Portland South Water Front. It's an area of the city that is changing and we need to allow for future changes on the island to accommodate the growth. Additionally, some of the best beaches in the city. The island is currently park deficient. Public access to the Columbia River should be important to the city. River access is very limited in Portland. And any opportunity to increase river access should be considered. My company had previously proposed motorized boat ramp next to the train bridge on the north side of Hayden Island. I have included a conceptual plan for you to consider. This is a plan similar to the Cathedral Park boat ramps. However, the overlay limits parks to less than two acres which would preclude this ramp from being developed. The Oregon State Marine Board deemed this regionally significant access point. The advisory board had designated a river access park at this location. For these reasons, I ask the council to remove the overlay to allow for future growth and development and give residents greater access to the greatest asset, the Columbia River. Thank you for your consideration.

**Hales:** Thank you. Thanks very much. Welcome.

**JD Dinh:** Hi. My name is JD Dinh and I'm here for my mother Mo Dinh. Her current block zone is all one and changed to an eg 1.

**Hales:** Where is this located?

**JD Dinh:** On southeast 82nd between 82nd and 83rd Avenue between Bybee and Glenwood Street. And it's a small block. The prospect of an industrial site going there it's kind of slim. But the change has already been made. The number one concern is the property tax. Would that change it for her under the new designation? That's the bottom line. I submitted a letter of concern to the testimony sites email. So she just wants assurance from the city to protect her neighbors, herself in this situation from higher taxation because they budget their expenditures and then whatever's left, they try to make enough to pay for their public tax. That's concern we have. And if the city can represent us in that way with empathy, we much appreciate it.

**Fritz:** Have you tried to approaching the Multnomah County?

**JD Dinh:** Not yet this is introduced to us now.

**Fritz:** I would recommend whoever is your county commissioner, bring it to that person's attention. It's the county that sets the property taxes. And should be able to answer that

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question. Am I right? Yeah. So we try and stay out of the whole property tax thing. But if you were to ask Multnomah county's tax assessor maybe your county commissioner involved, would probably give you an answer.

**Hales:** Does your mother live on the property now?

**JD Dinh:** Yes, she's lived for 18-20 years.

**Hales:** Okay. She's also a senior tax deferral process. We'll get your contract info and your testimony. Thank you. Welcome.

**Susan Sturgis:** Hello. My name is Susan Sturgis. And I submitted written testimony regarding the proposed far change in the rh zones in the alphabet district. I just wanted to make one short point out of what I wrote in the written testimony. And that is that if you have trouble deciding about the 4-1, the 2-1. There are other options available such as a 3 to 1 f-a-r with a 60% lot coverage. So the earlier ones have been 85 lot coverage. But with the 3-1 and 60% lot coverage, you could have five story building but the reduced lot coverage along with the setbacks might keep it from intimidating neighboring historic properties. I think this change was made in august. I didn't really have time to catch up with it and to do a lot of research on my own. Really evaluate the situation. So this is kind of my first brush at it. I just wanted to make the point there might be other options. There might be other flexible ways of handling the issues that would address the neighborhood concerns and other property owners' concerns.

**Hales:** Thank you. Thank you very much. Thank you, all.

**Hales:** Good afternoon.

**Jeff Cole:** Good afternoon. Well, I'm Jeff Cole, and this testimony today is on behalf of Wayne Rask, a fractional owner and representing adjacent properties at 110 and 160 southeast Ankeny street in the area of gateway. We have specific concerns about the rezoning of these lots from the current ex zone to a reconfigured eg1 zone. Our first priority has been to fulfill clean up on these parcels. It is listed as number 17 on the Portland brown field funded project list. The ownership's ultimate vision includes a five-story industrial flex building to accommodate start up minority and women-owned businesses. As well as build much needed affordable housing as part of mixed use development. And as you know, brownfield remediation will cost hundreds of thousands of dollars. While we appreciate the city's need to dedicate an adequate inventory to land zone for the exclusive employment-related uses, we would still prefer the land to remain zoned ex so the buildable development justifies cleanup cost of the site. However, if the full-time decision to rezone, we would request the following to maintain the liability of our vision. Number one, retain the current gateway plan district bonus Florida area ratio and height limits. These are on maps 526-2, 526-3. Under these maps, the maximum f-a-r is 6 and maximum height is 120 feet. The zone eg1 with a 45-foot height limit and 3 to 1 f-a-r makes it difficult to fulfill our vision for these properties. Number two, a new street through our properties in the gateway master plan. Again, if we're going from ex to eg1, that's a pretty marked shift in usage and this represents a huge expense on top of the clean-up costs. Number three, allow conditional residential use within the prune dale eg 1 area. Our properties are located 500 feet from the southeast side and 102nd max station. And in close proximity to cx property outside 122nd with a potential f-a-r up to 14-1. And number four, allowed f-a-r and height bonuses and residential use as part of planned development on project sites greater than two acres. This is similar to a mixed use zone project. This would be a perfect fit for potential parcel sizes in the prune dale area.

**Hales:** So what's the total size of this?

**Cole:** Just about two acres for all three lots.

**Hales:** Each of that? Okay. Yeah. All right. Thank you very much.

**Cole:** Okay. And if I could just want to make one final remark. There's been a lot of planning for the gateway district. We like to be part of a revitalized gateway. We know there's a lot of planning. We encourage the city to keep up the good work and focus on this important area.

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**Hales:** Thank you. Thank you very much. Okay. So let's move on to the list of folks that signed up today.

**Moore-Love:** I have a total of 48.

**Hales:** We'll get as far as we can, folks.

**Doug Klotz:** Doug Klotz. I'm a Richmond resident. I'm testifying on removing the parking requirements and mixed use zone. I was at the planning commission briefing Tuesday on inclusionary housing. There is some concern that the housing program as it now sits will work in the central city but may have a hard time in the mixed use zones. And that's property because there's a full property tax exemption which there's not going to be in mixed use. I think some of the planning commission members are thinking the same way. The removal of parking requirements would help that. To help allow for more affordable housing. Up zoning from r5 to r25, I support the up zoning of all the areas of mostly southeast where the comp plan designation has been r25 for decades and now the planning bureau has studied them and decided which areas could be up zoned to r 2.5, I support that. The ground floor height bonus that the neighborhood spoke about, I support that bonus which allows for taller ground floors and gives an extra five feet on the height of the building but also extra five feet on the step back. Wouldn't make sense to have the floor plates back down to accommodate and not have the additional height there. But have it on the main part of the building. I support the major city bikeway designation on northeast 7th. I support keeping the f-a-r at 4-1 in the rh areas. I know it's difficult to work with historic designations but we need to get the density in that area. Makes the most sense to have the density there. I do oppose further down proposing. It was critical and we need to get the density to have a center in southwest. I also support cm2 at 60<sup>th</sup> and Belmont and hawthorn 50th.

**Hales:** Thank you very much. Good afternoon.

**Rick Glick:** Good afternoon. Mr. Mayor, members of the council, my name is rick glick. And I'm here today with several of our neighbors to discuss the removal or urge you to remove segment 3892 from the major public trails zoning map. That's southwest dosh park lane and southwest Campbell court. We submitted a letter from the homeowner's association and almost all of the residents within the neighborhood. Our point here today is that these streets are private roads, always have been. The city did not construct them. Did not pay to maintain them. The homeowners paid to maintain them. In the mistaken belief they were a city street, the southwest trails organization put up signs guiding people through the neighborhood which is resulted in a noticeable increase in vehicle and foot traffic through as people use it as a shortcut which was not our intent. There is no public right of way. And arranged for the signs to be removed. I want to express appreciation for the courtesy and responsiveness of city staff in helping us to work through this problem. I want to leave you with a thought that this is not just a line on the map. This designation has consequences. And if you look at the September 16 notice, it says that this line on the map could affect future uses, could affect the value of the property, and it could be a marking of a future easement acquisition of the city. Our homeowners are not interested in an easement and would oppose imposition of one. Thank you so much for the opportunity on comment today.

**Hales:** Thank you. Thanks very much. I have your written testimony as well.

**Jim Driscoll:** Good afternoon. Jim driscoll and the institutional memory for the dosh estates homeowner association. My wife and I live in a house at 4825 southwest dosh park lane. We also own the adjacent unbuilt undeveloped lot in dosh estates. I was the original owner in 1978. One of the developers. In 1978 we worked with the city planning staff to design a planned unit development. One key feature which was the roads in there would be private roads. We did that because at least at that time as a private road, it only had to be 28 feet wide. City street had to be 44. There was no way to snake road down through that property without taking out many, if not all, of the large specimen trees that were on the property. Those trees had historic significance because henry dosh was one

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of the pioneer horticulturalists in Oregon and that was his residents and many of the trees had been planted either by dosh or by the original homestead albert Kelly. We wanted to keep the trees and could president do it with a city street. So the project was developed with everybody understanding and knowing that those roads were private roads. There was no public right of way acquired by the city. And there are no sidewalks. So this has the practical consequence that if you are going to put a public trail through there, you've got to either locate it in the street or you've got to take out a bunch of people's front yards. If you put it in the street with a 28-foot wide street, there's no room for cross traffic for cars to travel in both directions if you've designated 8 or 10 feet for pedestrian. So as a practical matter, there's no place to put a trail. As a legal matter, the city has no right to put a trail in there. And as mr. Glick mentioned, it's frightening when you look at the public recreational trail's provisions in the planning and zoning code. If you once designate this on the map, the city can do all kinds of things and make you do all kinds of things. Including, we couldn't build on our vacant lot without first creating building. They can make you build a section of trail.

**Hales:** Thank you.

**Driscoll:** I'm out of time.

**Hales:** as I recall, I have trees in the middle of the street and worked around them.

**Driscoll:** Precisely. We snaked around them to save the trees.

**Hales:** Turned out well. Thank you.

**Driscoll:** Thank you.

**Hales:** She's here.

**Moore-Love:** I'll hold it right there.

**Hales:** Go ahead, john.

**John Calhoun:** Good afternoon, mayor and commissioners.

**Hales:** You are on deck frieda. Go ahead.

**John Calhoun:** My name is john calhoun. I'm also a resident of dosh park lane and current neighborhood association president. I want to echo what my neighbors have said and let you know that I have 17 of the homeowners which is more than majority who signed on with our request. And the city approved bylaws require 75% approval to change any of the regulations. So as board president, I don't have the authority to do anything other than object to what has been attempted by the city or suggested by the city. So I'm just here to support what the others said.

**Hales:** I appreciate getting this testimony and hearing this. So you still have the homeowner's association. It's a private street. Therefore, it developed as a p-o-d. And homeowner's association for shared assets like the streets?

**Calhoun:** Correct. We maintain the street. We just spent \$7,000 putting on a new ceiling to maintain it.

**Fritz:** Did anybody contact you about this trail?

**Calhoun:** There was some discussion in the past. We objected at the time. We thought it was going away and got this notice.

**Hales:** Appreciate you calling it to our attention thank you. Welcome.

**Brian Dapp:** Thank you, my name is Brian Dapp I'm here today to bring to your attention serious problems with the proposed down zoning of mixed commercial property on marquam hill located immediately west of ohsu as part of the 2035 comprehensive plan project. Many others I know from the neighborhood are completely against the proposal the homestead neighborhood association has already weighed in on the matter, but unfortunately we do feel that the interest and concerns of many neighborhood residents have been taken into consideration by the association and by planning staff. I am now speaking of the many renters who live in the west portion of homestead above ohsu on marquam hill. I have included for your review a small collection of letters which illustrate their interest, I urge you to please carefully read and consider those letters they represent many, many more people who did not have the opportunity to submit letters today. After



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reviewing the 2003 plan marquam hill plan, 2035 comprehensive plan guide and 2035 comprehensive plan early implementation. We find no justification for the proposed downzoning in fact these documents overwhelmingly support increasing development potential and not restricting it. The 2035 comp plan guides state that Portland can expect 260,000 new residents in the next 20 years. Where are these people going to live, do we want increase possibility for people to live close to where they work? I kindly ask to you keep in mind important indisputable fact, Ohsu employs 12,000 people on the Maquam hill campus. In light of the following circumstances we believe that the downzoning will have overwhelmingly negative impact on our neighborhoods and on our city. Portland faces an unprecedented housing shortage. I'm going to skip ahead since I'm running out of time we feel that the proposed downzoning will only exacerbate the problems of which you are already aware we urge you to please either amend the proposal or reject it. I would be available to consult with you or any of your staff at any point in the future to better explain concerns that people who live in our part of the homestead neighborhood should the opportunity present itself. Thank you very much.

**Hales:** Thank you very much. Appreciate the letters and the testimony. Thank you. Welcome.

**Issac Dweik:** Good afternoon. Mayor, commissioners, my name is Issac Dweik I am the home owner and resident of 7008 southwest capitol hill road in southwest Portland. Zip code 97219. Just I have missed a window of opportunity for the comprehensive change in planning, so I'm here to submit and make my case for the change should you consider new adoption whether prior to the implementation or in the near future. Since I don't have for this, this is my property, it is surrounded by -- on the north is an r1, my property zoned r7 currently. On the east side and north side, they have been adopted to on r1 and r2 which leaves me an r7 just by myself. If the zoning stayed the way it is, it will really diminish my home value and there will be very minimum impact should it changed to r1 which that's what I wish it to be or at least r2. In that particular area, it's a really very low density and in dire need of additional more affordable homes. One particular point I'd like to make I know the time is over, it is in close proximity to the Jewish temple which is, if anybody knows about the Jewish faith, one of their requirements is to be on foot. So it's real dire need for extra additional, more affordable homes.

**Hales:** Thank you. Could you give the planning bureau staff a copy of that?

**Dweik:** I am going to leave this. I will be e-mailing testimony.

**Hales:** Great.

**Fritz:** Thank you for making it nice and large so people at home to see, thanks so much.

**Hales:** That is helpful. Thank you.

**Greg Moreland:** My name is Greg moreland, I own a property on 14716 southeast Powell. And 147th. I also own property behind that. I bought this, this is being changed, this property is in a very small pocket, a long and thin pocket with about 60 houses on Powell. Most of them very close to Powell. I bought this bare lot with the intention of building 12-plex there. I can bring access from behind on Rhine which is really handy. This particular property wouldn't make a whole lot of sense to build a single family house there. With the expense of bringing access from Rhine so that is really, I just have really narrow interest here. That revolves around that.

**Hales:** What's the proposed zoning at this point?

**Moreland:** It's r2 now. It's being proposed to move to r5. Again, it's in a very small pocket that, I don't know, 60 houses or so. Or 60 lots. As a bare lot I bought this as an investment. This was really the no brainer thing to do would be to build a 12-plex there. The zoning -- I don't know if I can make it by the time the zoning comes around. I don't know if I will be -- I can get my ducks in line.

**Hales:** Thank you very much. Welcome, good afternoon.



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**Frieda Christophers:** For the record my name is Freida I'm a member of the David Douglas school board. Superintendent Richardson sends his regrets he was unable to make it today. But we wanted to thank the city council and bureau for engaging in conversation with the David Douglas school district to address our critical infrastructure needs relating to capacity. We have completed our facility plan with the need for district in the next ten years which include building two new elementary schools. But we like to thank bureau planning and sustainability for collaborative approach in recognizing how population growth can impact school capacity and the district school by providing higher quality education opportunity for students now and in the future. The miscellaneous zoning amendment package in the comp plan has given the school district the ability to review and deny 11+ lot land division applications and zone map applications. We wish to note that these two provisions only give us access to small portion of potential new housing. There is much more potential new housing in the mixed use zones and multi-dwelling zones for new apartments that tend to bring higher amounts of new families and children to our schools. Currently neighborhood associations receive notification when five or more unit's development is being planned. They receive this notification early in the process. We feel that the school district could receive the same notification from the developer it would be beneficial for us in the planning process. Currently we only find out about the buildings because an administrator drives by, sees something being built has to stop and ask what is being built and how many bedrooms, et cetera. I have provided possible language changes to the code, 33.120.050 with this testimony. We feel that this is a simple change that could be beneficial to all school districts for planning and enrollment each year. We're not asking to stop anything from being built just to get notification. In addition, there is a change being considered by council in elimination of the conditional use requirement for indoor agricultural and ce and cm3 zones. There are zoning changes being considered that would increase amount of ce and cm3 zones in east Portland and David Douglas community. Indoor agricultural includes indoor marijuana grow operations. We are concerned about the indoor marijuana grow operation in close proximity to our future schools. Our request to ensure that the conditional use process is required before any indoor marijuana grow operation is approved or placed. We would like an opportunity to provide input and share our concerns during the conditional use process. Without this conditional use process, we'll have no voice in the placement of these businesses. Please consider keeping in place conditional use process to ensure our schools and communities have a voice in the future. We would appreciate your consideration on these two items. Thank you.

**Hales:** Thank you. Thanks very much.

**Fritz:** We might take a look at the marijuana growing applications in a different process we'll check in on that.

**Christopher's:** Okay. It's a zoning -- it's a code change is my understanding.

**Hales:** Mostly been looking at the retail question.

**Hales:** Thank you. I hadn't thought about that aspect of it, I'm glad you have. Thank you. Welcome.

**Jim Labbe:** Hi there. My name is Jim Labbe. I'm speaking also on behalf of mark who just asked me to speak for him, we both served on the title 11 oversight committee last year and my testimony -- our testimony is about the need to remove exemptions the 10 and 11 exemptions for commercial industrial zones in the process of updating the zoning maps and codes. It's critical that this council consider impacts of trees when -- as it goes through the zone changes especially the comp plan. This is a particular important piece for couple of reasons. You might recall that a number of commercial industrial work is exempt from title 11 when it was adopted. Both because they might potentially limit the capacity of

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unemployment lands and employment land supplying needs were low at that time. I think first reason was never really justified because title 11 doesn't require tree preservation, there's an option to pave. And the density standards are really equal to the landscaping requirements in these zones anyway. There's really very little situations where -- I can't imagine situation where title 11 would displace employment land. But that aside, we know now with the city's economic opportunities analysis that there is a shortfall and at least commercial land, commercial employment land there's significant surplus, I included the page from the economic opportunities analysis that illustrates that. So the other real important reason I would advocate that the council remove these exemptions is, the city wide tree project, it was intent to develop policy city wide it's exactly the commercial industrial zones and actually public right-of-ways where the city farthest behind in meeting its target. I included that copy of the action plan that illustrates that. I guess lastly, you look at the -- the research on areas where we have heat island -- worst heat island effect and impacts on vulnerable populations in terms of public health. It's in the commercial industrial land, along our corridors. I think for all those reasons probably more it's time to remove these exemptions, thank you.

**Hales:** Thanks very much. Take the next three please.

**Hales:** Welcome.

**Kiauna Floyd:** Thank you. My name is --

**Hales:** Pull that microphone just a little bit towards you.

**Floyd:** My first rodeo here. My name is Kiauna Floyd I am third generation owner of Amalfi's restaurant located on northeast 47th and Fremont. We have been a member of the Beaumont business association for 30 years, we're very strong in our philanthropic effort giving back to our community, our local schools, nonprofit organizations and supported many other community causes and events over the course of the years. For nearly sixty years we have been the corner stone of our community, Fremont street. We came to the planning commission as a unified group of nine property owners to request cm2 zoning for our properties, however the neighborhood association believes that cm1 zoning was better for our properties and subsequently our request was turned down. This is a little hard for us to understand considering just a few doors down east of us as well as few doors down west of us, those properties were granted cm2 zoning. Just a little small stretch of us about three blocks where we were not granted the cm2 zoning. And we know that it's good to listen to all of our neighborhoods we know that there's very active and caring people within these neighborhood associations who make their voices heard. But we're here today we'd like our voices to matter as well. The voices of long term family owned businesses that have been active in our communities for decades, I know Amalfi's for nearly six years that we've been in business, we've certainly given back to our community and created a lot of jobs for people. We've certainly helped make Fremont the vital place that it is today. We're just asking that these old guys, Amalfi and Staniches small little stretch of three blocks be granted the same consideration to grow and prosper as the rest of Fremont and all the new kids on the block have been granted and considered. Please accept our request for cm2 zoning.

**Hales:** Thank you.

**Steve Stanich:** Good afternoon. Thank you for the opportunity to testify. My name is Steve Stanich. It's an honor to be here representing Gladys and George Stanich who opened up the restaurant in 1949 to pay large medical bill from 49 to 66. They worked three jobs and in '66 went full time at Staniches, I am here to represent Gladys and George. I was born and raised in the Beaumont Wilshire, I guess now we have three zones, Beaumont, Wilshire, Cully and Rose City. I believe Beaumont Wilshire is what I grew up on 33rd where Wilshire ended on 57th was the end of it. I believe there was only one association. But that

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being said, I went to Beaumont grade school, played baseball at Wilshire little league and have lived was raised as I said in the area my entire life. The reason that I'm here is that my parents taught me at a young age, they were the original pay it forward. They never advertised, word of mouth. Any money they had put aside for advertising was spent on little league teams, on high school teams, et cetera. We've had numerous little league teams over the years since '49. In fact, over 20 years ago Wilshire little league field was named George Stanich. I changed it to Gladys and George to honor my mother who was the cook, my dad was the Fremont philosopher. And was the front guy, but my mom was the person that was making the burgers and allowed them to go from three jobs to one in 1966. I strongly believe that the three blocks from 47th to 50th should be the CM2 zone. We have a cemetery behind us and I think it would -- if anything, it would just be as Kiauna said there's same zones to the east and the west of us. I'm still -- I believe a member of the Beaumont Wilshire neighborhood association which now is -- still live in the area, I thank you for your time. Thank you for allowing me to testify on behalf of my parents.

**Hales:** Thank you. Just a speculative question, maybe. Planning and zoning is about what you want to keep and what you want to change. So what would you expect to see change as a result of going to CM2 as opposed to leaving it at CM1 with these properties over time?

**Stanich:** Just the opportunity to maybe go up one more level and have more people living in the area. As an option, I'm not certain that we would ever even do it. If it's to the left and right, but also I was wondering if the council, since we've been doing it since '49 and we have all these little league teams, we don't go on the food channel, because that costs \$5,000. We take that give it to the community. I was wondering if before you make your decision if our little leaguers from '49 to the present could have a vote. I'm just joking.

**Hales:** Wilshire little league doing quite well as you know.

**Stanich:** We were -- went to the world series last year, we had a big celebration.

**Hales:** We met them at the airport when they came back it was a lot of.

**Stanich:** I yes, it was.

**Stanich:** Thank you for your time.

**Novick:** Mr. Mayor, doesn't the code provide somewhere that lapped use planning disputes --.

**Hales:** There's a special place in land use for little league sponsors. Thank you very much.

**Hales:** Welcome.

**Jan Brittan:** Good afternoon. My name is Jan Brittan. I am representing the Woods Creek Homeowner's Association in southwest Portland. A few weeks ago was the first that we were aware of the planning proposal that would go on in our neighborhood for an addition to a trail. Let's see, just so you can place it, the notice was given one of our home owners at 7525 southwest 64th place. The proposal, as we understand it, is to be able to connect various trails that are in pieces, somehow this portion of our area was seen as a good place to connect. We strongly disagree with it. Our Woods Creek development is 31 houses, three cul-de-sacs, and the cul-de-sac in question has no through access. The home owner who received the notice, the trail as it starts goes through their front yard where there is already a fire hydrant and large multi-use utility box. Only way I can describe it. 64th place sifts a steep street to Woods Creek down to the creek, it's too steep for foot traffic, especially elderly, disabled or bicycles. It's obviously slippery when wet and treacherous with ice. Most of the people down in the lower cul-de-sac have to park up on the main road of Canby Street in inclement weather. The street narrow, so there's really no room for public parking would impede flow of residential traffic be a hindrance to ambulance and fire or rescue vehicles. The proposed trail, it got down from this neighbor's house down to the creek, across the bridge, and it goes through a green space that is

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currently private property of the homeowner's association and is bordered by homes on both sides. It completely floods in the wintertime, so it would not be safe for hikers going through. We're worried that building trails would cause possibly erosion and interfere with the established system of absorption and drainage for that area.

**Hales:** I think -- the only notice of this that you got was a mailing to the one homeowner?

**Brittan:** That was the first we heard about this. This was a couple of weeks -- maybe three weeks ago. It's taken us by surprise. We were sort of scrambling as to how to proceed from here.

**Hales:** I should know this, you're in the woods creek homeowners association, which neighborhood association are you in?

**Brittan:** To be honest with you I don't know.

**Fritz:** Ash creek.

**Hales:** We'll check up on this. Fact that you found out so late is kind ever concerning to us, too. Thank you very much. Appreciate it. Welcome, whoever would like to go next.

**Jackie Strong:** I'll go next.

**Jackie Strong:** My name is Jackie strong, I'm representing the strong family. We're a long time resident of Portland. Residents of Portland, we've been community activists for a long time. We own significant piece of property at the corner of Williams and Alberta in the area that is really just turned around as far as growth and some say has been gentrified. Initially our property was zoned cm1, we fought really hard. We work with planning and sustainability commission to be able to get it upgraded to cm2. Would greatly appreciate of that. All the folks in our block came together we all joined and we advocated for this new zoning to happen. Even the department of Oregon, who is situated across the street from this department was in agreement that it should be up zoned to cm2. We have approximately an acre there which would allow us to be do considerable size project, we are in the process of trying to develop that property. In our efforts we conducted with pdc. And pdc had mentioned to us that they have a north-northeast economic initiative program which created to generate wealth for African Americans, especially those that have been displaced by gentrification, also to just pay back to the African American communities that have been so wrongly affected by gentrification. Started thinking about we could have entitlements similar to what is happening with all of those buildings that are going up all around us on Williams and Alberta it would be great. Create generational wealth for my family. Would also help us with the developmental process to add affordable housing for marginalized communities like veterans, for seniors, for African Americans to come back into the community. We thought about why not come here in front of you and see if you are really serious about the city's efforts to combat the ales of gentrification see whether or not you could with the stroke of a pen say, okay, we're going to give you this additional entitlement. So, that's the nature of my coming here to testify in front of you today as an African American and a person that is strong advocate. And I trust that you will do the right thing. Thank you so much for your time.

**Hales:** Thank you very much. It's currently proposed cm1 I assume?

**Strong:** Yes, cm1 current proposal, we're asking for the additional floor.

**Hales:** Thank you very much.

**Greg Astley:** Mayor hales, commissioners, I know that you received couple of letters, one from the national association of mutual insurance companies on the drive through prohibition regarding safety with bicycle and pedestrian. But also one from the united states business leadership network, which happens to be a national nonprofit, 50 business leadership network helps build disability and inclusion in the work place, the marketplace, I'm just here to ask to adopt the staff recommendation on the drive thru's, that was talked about previously in April. They provide easy access for both of those communities to



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important services which does include food and beverages. I know there was permitting process back in April that we're amenable to, we would like existing restaurants to be able to remodel in the future not be nonconforming. I'll leave my comments with that I appreciate the time today. Thank you.

**Hales:** Thank you all.

**Martha McLennan:** Good afternoon. My name is Martha McLennan, I'm the executive director of northwest housing alternatives. I want to speak to the issue of reduction in the far in the alphabet district. The first thing I want to talk about just the policy issues. We know that restricting capacity for housing development contributes heating up of the market which contributes to increased rents, restricting the capacity and high opportunity neighborhoods contributes to concentrations of poverty. Both of those issues are serious concern in Portland right now. We need to have more housing in general in the market. And we need to have economically integrated neighborhoods. With that, we can have a healthier city, healthier communities, healthier families. In the particular situation that we're in we also do have an interest in a sight in this neighborhood on 18th between Hoyt and Irving on the east side of the street. Most of that half block is vacant for parking right now. There is a contributing historic resource in that block as well. We do have site control from the owners of that control to see if we can put together a development project there. So that would be our project, not the owner's project, just to be clear on that. When we're looking for a place to site housing we look at neighborhoods that have the resources that the residents would need. So the walkable neighborhood, the access to services, the access to transit, to downtown to, medical facilities is critically important to us. Parted of why we're very excited about it. When we learned of this proposal in September it really threw a wet blanket on us in terms of the capacity to develop that site. What I would say is that the approach that the neighborhood association proposed and the partial acceptance that have approach by the planning staff and planning commission lacked nuance. I think the council has the opportunity to look to the process that currently exists through his roar particular design review to consider properties keeping in mind that this overlay has existed since 1980. And continue to exist despite historic district designation in 2000. Other opportunities are to look at property by property instead of the blanket approach that they did or other adjustments besides just cutting it in half. The two to one ratio with be infeasible for us we'd have to withdraw our interest in this site. I know the council last week talked about, could just get in early, say just a couple of things about that.

**Fritz:** I was Just about to ask you about that.

**Hales:** We also react to another thing as well maybe, that is it was suggested today that we consider three to one. So maybe react to giving early tonight three to one notion.

**McLennan:** The get in early is problematic for a couple of reasons. One in order to get in early you have to have a complete packet before the implementation -- before the permit application before implementation. Because this district got historic design review process, the expectation is you need to go through iterative process.

**Fritz:** Your grandfathered as soon as you get a complete application.

**McLennan:** But to do a complete application without having first gone through historic design review process, puts you at risk of having to redesign as its tweaked. There is an expense associated with that. Probably more important than that is the issue that to get financing for a property on nonconforming use is also difficult and may be less favorable. We would need to get our -- not just the permitting in place, but the financing in place and closed and have those financing partners understand that as soon as the thing is built it will be nonconforming. And with that nonconforming status in the event of catastrophic loss there's no certainty that it could be rebuilt. So that's the financing partners' concern. So, for our purposes it would be much better to have a clear expectation, clear and durable



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expectation of what the capacity of the site is. In terms of the three to one, that's better. We haven't had an opportunity to evaluate that or pencil that specifically. Our belief is that we weren't going to get to the full maximization of the four to one ratio in any case, that that was not going to satisfy the neighborhood or the historic design review. So, three to one has some potential.

**Hales:** Thank you.

**Susan Emmons:** My name is Susan Emmons. I am executive director of northwest pilot project, my husband and I have lived in an apartment in northwest Portland for 36 years. And we raised our twin sons in the neighborhood, they went to the local high schools. I know I don't need to tell you about housing crisis, but I'm going to mention the number again which we keep updating, shortage of 24,000 units in Portland for those who we serve at northwest pilot project, the poorest of the poor. I think it's very interesting to have a son, an adult son living somewhere off and come and shrift we put him on a plane yesterday, one of our sons, but his shock he hadn't been in Portland in two years, we usually to go visit him. What has happened in Portland, mom, there are people sleeping all over the neighborhood. What are you doing about this? Why are there so many people out? So, I'm here again to talk about the floor area ratio and this proposal to lower from four to one to two to one. We were quite thrilled when we met Marco Donald, he expressed his interests in doing some housing, introduce them to northwest housing alternatives. They do beautiful buildings; they will do a beautiful building that's a beautiful neighbor. They're going to do it for people who we serve. Very, very low income seniors. So it seems to me with all that we're dealing with and we said we need many different approaches a private owner making land available, one of our very best nonprofits coming together to do this and I think the bigger issue of whether its 3 to 1 or 2 to 1 is, is this a neighborhood that should have more housing and should it have more affordable housing. Is compatibility with a historic district really defined by height? My husband and I lived for two years in Vienna and a year in embow and I would say no I love northwest Portland, don't accuse the neighbors of nimbyism come from us didn't come from northwest housing alternatives, but I really think this is a significant project 160 units I would really be disappointed if this project didn't go through.

**Hales:** So let me get both of you to comment a little bit further, the council I am I think we all are trying to find our way through the dilemma here obviously we already had one proposal for this site that was rejected. And it seems to me that we're in an unfortunate situation of being asked to aim a shot gun at an area that would have pernicious effects on historic preservation all over the place in order to address one or two development projects that we otherwise like. I'm speculating we're not conducting a land use hearing here, but I don't believe we've done enough in terms of a city in historic preservation. We've had a lot of losses lately and we're having them every day, you mentioned Vienna and embow, but it's hard to tear down a historic building in those cities at least the ones that weren't lost in Vienna in the war. So I'm eager for us to do a better job of hanging on to the historic resources that we have so the 4 to 1 ration in its potential affective incentivizing demolition and replacement is what's got at me worried. Your thoughts about that beyond the boundaries of your property.

**McLennan:** So I would comment on that again the 4 to 1 ration has existed for 36 years, the historic district for 16 I think the development proposal for this site that I have that came through earlier was one that peaked a lot of concern, but I don't think there is a way to build sensitively. The fact that, that was not approved through historic design review, that is was not approved by the city council actually demonstrates that those are good checks on analyzing an nuance way on a site specific way what is appropriate and what is not appropriate so you could take your argument and turn it on its heel and say leave the

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potential there and then look at the projects on a case by case basis through the existing procedures that exist. The council could also ask staff to go back and look at what the development potential is where are sites where there is capacity for housing that could be about that 2 to 1 ratio that might be good opportunities for development. Our site does have a contributing resource on it our proposal is to retain that resource and build around it on the site so again kind of a hybrid model of meeting both the historic preservation goals, but also the affordable housing goals.

**Emmons:** I mean you have a landmarks commission, you have a checks and balance in place for anybody who comes forward and wants to develop it 4 to 1 and it's very arteriosus. So we don't think imposing this far 2 to 1 is the solution since you already have something in place. Yes, I think the concern about historic preservation is real, but I think when we have people sleeping all over our neighborhood including this property I don't see how that's better for the neighborhood and the homeowners and us as a city when we can actually get housing and put people in it and they are going to preserve the historic building on the property it will be beautiful building and it will be a good neighbor that I promise.

**Fritz:** The counter argument to that is we should set the reasonable expectations. If you basically can't do a 4 to 1 because it's not going to fit in, shouldn't we be setting more clear boundaries so you don't spend a lot of money going through design review, getting to a council and then being told no you have to start all over again? That doesn't seem to be helping by anybody.

**Emmons:** I mean unfortunately we started this process in the spring. We learned in September the neighborhood association had come forward. There's considerable resource and time put into it. Yeah, it came in on us in mid-stream. And I think, again, as you know, we have a dire use for units.

I started my day listening to the receptionist answer the phone to seniors who call in everyday trying to get a shelter bed. Not an apartment, a shelter bed. We have seniors living outside. Because my office is right by the receptionist, I hear this call every morning and it's very sobering.

**Hales:** Understand. Thank you.

**Novick:** One additional random comment. Historically, Portland has been an affordable place to live and that part is being erased. To some extent there is conflict between maintaining the historic character of our historic physical character and historic social character.

**Hales:** Thank you. Appreciate your helping us think through that. Welcome.

**Martha Cox:** My name is Martha Cox. Chief executive officer of Columbia steel castor company inc at 10425 north blas avenue north Portland. I'm here to testify about the miscellaneous zoning code before you and in particular the proposed public trail alignments. I'm here to request that you donna adopt the proposed trail alignment on our site which is a proposed amendment to zoning map 1924. And instead adopt the revised alignment which would avoid operational areas. I've submitted written testimony that explains this request in detail and before you is a map showing the proposed trail alignment in red and requested revision. Our plant requires a substantial amount of equipment. We rely on roadways to move large cast steel parts and other materials around their facility. We maintain large outdoor storage areas and have a substation on our site. The city's proposed trail alignment runs across many of these areas. Construction of the trail in the location noted in red would undermine our trail operations and circulation throughout our site. We're also concerned the close proximity of the trail to our operational area presents theft and danger to trespassers. We understand that when required, the alignment would be established in the park's department. However, having the trail

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alignment through our operational area in print as a starting point for that negotiation is problematic because it suggests to all parties that the trail should be where it's shown on the map. Also having the trail routed across active industrial area creates significant problems if we seek financing or ever wish to sell the business or property. Our requested alignment solves many of these problems by placing the trail closer to the slew and away from operations. At the same time, it avoids the environmental zoning and will provide better pedestrian experience. We developed this proposal in cooperation with the bps staff and bps staff developed compromise alignment before you. We appreciate the willingness to work with us and sincerely hope you'll support our request.

**Hales:** Thank you.

**Fritz:** Do you own the property where it's shown in yellow?

**Cox:** Yes.

**Hales:** Thanks a lot.

We'll make room for you in a minute.

**Fritz:** For those of you who are upstairs, there's some room downstairs now if you are going to be called soon.

**Moore-Love:** We're on numbers 21, 22 and 23.

**Hales:** All right. Making progress.

**Hales:** Welcome.

**Damien Hall:** I'm 24. Not sure what number you are.

**Deanna Bitar:** I'm 25.

**Damien Hall:** Mayor, members of the commission. Thank you for the opportunity to speak to you today. I'm here on behalf of joe angel who is a property owner. I've submitted written --

**Fritz:** Give us your name.

**Hall:** Damian hall. I've submitted to written testimony that touches on a number of topics. There are two site specific zoning requests. General opposition to the ban on drive-thrus east of 80th and expressing concern with the 80% reduction. I'd like to speak to a different issue today here in using my two minutes. That is nonconforming uses. So the mixed use zone project is a large scale rezoning of the commercial zones in the city's corridors and centers. A lot of good objectives there on how to shape the environment and new construction and creating new dense mixed use zones. The side effect of that is a lot of the existing commercial space that is currently affordable and certainly has rent rates that are less than what new construction will be that will be cause to become nonconforming uses. You've heard a little bit today and in various testimony about the impact on property owners and the businesses operating out of buildings that have become non-conforming situations. That impacts existing small businesses. The planning and sustainability commission recommendation identifies the need to maintain affordable commercial space. And even a -- I would call it a place holder for affordable commercial bonus in the commercial zoning. But no real clarity on how that is to be achieved. I don't think there's a promise of administrative rules to be created. Not really a framework of those yet. So I think that there's -- trying to create this environment. And on the other hand, trying not to negatively impact the existing businesses and property owners who have invested in these sites that would be inconsistent with the new development under the code. There's a simple solution and that's adding language to section 331-285 which I've included at the end of the letter handed to you. And I would say the mixed use zone not intended to create nonconforming uses. So you need to develop under the new code.

That allows us to separate the policy debate and separate that from existing property owners and existing businesses.

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**Hales:** Thank you. Thanks very much. Welcome. Good afternoon.

**Deanna Bitar:** Hello. Members of the council. My name is Deanna bitar. 9820 E Burnside I'm here today for my father who is unable to attend due to a family emergency. So I'm going to read his testimony. I have lived and worked in east Portland for 50 years, over 50 years.

Now we see the planning commission wants to ban all drive-thru restaurants because they want to eliminate fast-food east of 80th avenue. Is that really fair for the people in east county? How can you stop people from having something they want? Do you remember New York city's mayor placing a ban on august sugary drinks larger than 16 ounces? The New York supreme court ruled against the ban and now the drinks are back in stores. Let's look at the bigger picture of east Portland. I feel our elected officials should not be putting emphasis on fast-food drive-thrus. Grocery stores have closed. Target at 122nd has closed. Why is this happening? The median income is too low to support them. We need a better mix of low income and market rate housing to raise the overall income level. I am sure you have all shopped at trader joes, whole foods and new seasons. Would be nice to have one in our area. You should be finding ways to support and encourage quality food stores to operate in east county. They are the heart of any neighborhood -- excuse me, inside the limiting access to fat. In closing, our company is losing 19 potential drive-thru locations under the new code. Not all of these properties would be workable for a drive-thru. But nevertheless, we are losing the drive-thru zoning designations. We currently have two fast-food restaurants that will be nonconforming if the proposed zoning plan gets adopted. One is at 82nd and Fremont and the other is at 92nd and Powell. I ask you to please retain the current drive-thru zoning for these two properties. I have listed their addresses and legal descriptions. I object to the new zoning proposals that limits the use of these properties. Again, may I say the residents are entitled to drive-thru access here just as in any other parts of the city. I'm requesting that you do not make any of the designation changes.

**Hales:** Thank you. And our regards to him.

**Ian Nackenzie:** Hi. Ian Nackenzie. I'm here to talk about the zoning. I agree with the testimony you heard -- likely to come into effect. We should be careful about removing capacity in opportunity-rich areas. Implementing the comprehensive plan often has policy objectives.

Much of the testimony you received was from people who care about protecting the historic character of the district. I would argue in this case capacity for housing are not in conflict. The alphabet district is very different in Portland. They are almost exclusively made in single-family houses. The contrast in a nomination for alphabet district is described as unique in Portland, multi-family structures. Many of which are designed by the premiere architects. I, myself, live in such a structure. Was built during the period of significance by noted architects.

Comes in 3.2 to 1. There are a great number of multi-family buildings in the district. Many of which were listed on the national register. Most of these come in f-a-r between two-to-one and four-to-one. Indeed, 29% of contributing historic resources and only the historic resources have f-a-r of 2-1. This is not obvious to me why we need limits well below what we were building in the early 20th century. The character of the district is protected by the fact all new buildings go through review of the landmark's condition. A project at northwest 21st which is approved by the -- will have f-a-r of 2.69 to 2.

**Hales:** Submit that, if you can. Thank you very much.

**Hales:** Okay. Good afternoon. Welcome.

**Erika Yoshida:** My name is Erika Yoshida. Thank you for allowing me to speak. My family owns commercial land at 836 and 904 southwest Gibbs. I'm here today to address our



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concerns that our property proposed downing from cs to cm1. There's a tremendous housing shortage. Next to ohsu especially for medical staff, students, patients and their families. We have carefully been planning a mixed use apartment project that would cater to those needs. Both for short and long-term housing needs. With walking distance to ohsu. The proposed zoning change would actually cut our plans in half. Which would limit the amount of housing we can provide for those in need and also negatively affecting our plans to incorporate affordable housing in the project as well. We respectfully request for the cs and cm parcels to be up zoned instead of down zoned to cm 2 or 3.

**Hales:** Great. Thank you very much. Good afternoon.

**Brian Lessler:** Good afternoon. I'm Brian lessler and I'm going to be brief. I'm here on behalf of the family also. I have submitted written testimony early this morning which you probably haven't had a chance to look at yet.

**Hales:** We'll get to it.

**Lessler:** Just a couple issues I wanted to emphasize though. With respect to this neighborhood up there surrounding ohsu, it's a very special area and there's about 2,000 residents that live in the homestead neighborhood. About 70% of those are renters. So it's a bifurcated neighborhood. And the commissioner Fritz is very involved with the plan. And this concept of village center which directs the concept of living and working and shopping without driving is directly overlaid within the properties that yoshida owned. So this down zone. You heard a lot about affordable housing. I'm not going to reiterate that. I am fully aware of the depth of the problem as a developer. I also understand that by constricting the yield out of a piece of property, the ability to cover debt when you have to reduce that yield becomes very questionable. So likely, no affordable housing. Can be very positive. But, what we really want to see is a cm 3 designation on this property to allow a really well developed project that allows for commercial services as well as both market rate and affordable housing.

**Hales:** How large is the property roughly?

**Lessler:** It's an interesting property. It is going to require bifurcated streets that would need to be vacated. At Sw Gibbs and Southwest u.s. Veteran's hospital road. It would be about 20,000 square feet with 3,000 feet relative to street vacation.

**Hale:** Interesting problem in that I think it's the only place in the city that actually meets this description. Which is obviously there are a lot of places where we complaint expand capacity even if we wanted to. You are one of them. But also the other mode of transit is an aerial tram reaching the limits of its capacity. We have a transit system that can't get any bigger. We can add buses or upgrade. But we can't add extra cars.

**Lessler:** Allowing a higher density helps to mitigate that problem of people trying to commute from off the hill.

**Hales:** And trying to shorten commutes, then your point is well taken.

**Fritz:** What was the reason given to you for the choices cm1?

**Lessler:** Well, we've been trying to investigate that. Our sense is it's really a response to the concerns raised by the neighborhood association which I'm not sure represents.

**Fritz:** What were their concerns?

**Lessler:** Their main concern is traffic and parking. And we think that their limitation or their desire to limit the density there actually works in reverse of their concern.

**Hales:** They have not been antigrowth. There may be a different view of the problem there.

**Lessler:** Right.

**Hales:** Thank you very much. Appreciate your testimony.

**Hales:** Susan, I think you are on.

**Hales:** Oh, sorry. We jumped ahead of you.



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**Zoltan Piwter:** I'm in-house council for fresh produce. We had the facility at 9243 north river gate boulevard. We trace our business back to the late 1890s and been in Portland since 2000.

We have 52,000 square foot facility where we employ 180 to 200 lower middle class individuals that work throughout the year. And right now, we're here to oppose the additional I-zone overlay. As we see that, it imposes additional restrictions on our property. The operations and future what we can do affecting our property values. And in our view, what's happening is the city is predicting the future today by doing this overlay. Which won't be the ability for change in the future. Essentially we're giving up our rights today. It targets certain businesses while other businesses. For example, the airport are not part of this. So for that reason, we oppose the overlay.

**Hales:** Thanks very much. Welcome.

**Anthony Calibrie:** My name is Anthony Calabrie. I'm an employee of Del Monte fresh produce. I've been driving out to north Portland to go to work every day with a lot of various people. The area I work in has a lot of buildings that are empty. A lot of places that could be developed and an opportunity for capital investments. And I agree with my associate. Adding additional overlays on to the zone may prohibit more development in the area. Thank you.

**Hales:** Okay. Thank you, both. Thanks very much. Good afternoon.

**Susan Lindsay:** Okay. There we go hi, I'm Susan Lindsay. I had the pleasure to be able to be on the pac or the sac for the mixed use zoning project. I'm here today that I've heard amendments have been raised and there's a desire to remove the parking minimums that were set and I don't think that's a good idea. For one thing, we don't even really know what adequate parking is. There's been a substantial look at this. And I've noticed that from years of being on different committees, the concern about parking consistently comes up. Now, one thing I do know is oftentimes parking raises an issue that if we provide more parking, it just gets filled up. One thing I'd like to point out is the planning bureau told us if we accepted a lot of density in the city that what would happen is keeping housing affordable. And the opposite has taken place. We have this tremendous crisis around rental affordability that is disconcerting to many of us born in Portland. The first house I rented with four other house mates back in 1974 cost \$90 a month. And it was on southeast 6th and mill. And my first house I rented on my own was \$75 a month. You can see why I'm concerned. And I haven't noticed that many of them that don't have parking has brought those rents down and created more affordability. I don't think an argument can be made that if we eliminate parking that we'll have more affordability. I don't think that's true. And that's just a giveaway the city should not do and we'll lose more livability.

**Hales:** Thank you all very much.

**Rebecca Biederman:** Hi. I'm Rebecca Biederman. I'm here about the tsp and the green way proposed on northeast 7th. I lived in Irvington for almost 11 years. I'm a mom. I have a third grader at Irvington elementary. And we walk and ride our bikes back and forth every day. As a parent I'm concerned about not being involved in the decision about the proposed green way on northeast 7th. And what the design would look like and how it would impact the safety of the neighborhood. Opposition to this decision still exists among the residents on both sides of northeast 7th as well as the streets that will be impacted by the reduction of traffic. Increased congestion on northeast mlk and northeast 15th is not optimal. Increased speed through the Irvington neighborhood and around Irvington elementary is dangerous. I and other residents would like to be allowed to have our concerns addressed. We would like the design work to proceed with full integration of the residents. I would expect multiple meetings as design work moves forward so a solution can be designed. Pbot we wish does not move forward unless they have a plan to hold

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meetings with the public to ensure the many concerns already brought to you in the spring through the public testimony process. I think our major concern is not having a voice as the design process moves forward. And that it was between northeast 7th and northeast 9th. So I think that's the main concern we have is having a say in how that integrates into the rest of the neighborhood.

**Hales:** Thank you.

**Fritz:** So there wasn't a process to decide between 9<sup>th</sup> or 7<sup>th</sup>. Is that what you are telling me?

**Biederman:** This in the spring there was testimony around this. Seemed like the plan had not chosen to be northeast 9th or northeast 7th. But I believe right now northeast 7th is designated as the preferred route.

**Fritz:** And you're saying the neighborhood wasn't involved in that discussion?

**Biederman:** Not since the spring. I mean, I think it was put on the back burner and we recently found out what the preferred designation was. And there hasn't been any meetings or design meetings yet. I know we were told in the spring that once the process started that the gas tax was passed that there would be meetings around what that would look like in terms of the diverters or stop signs or speed bumps or different measures throughout the neighborhood. Our main concern is just being a part of that process as this moves forward and not being uninformed about what's happening.

**Novick:** We still have to make the decision whether it's northeast 7<sup>th</sup> or northeast 9<sup>th</sup>. Definitely, once that decision is made, we would you not to involve the neighborhood.

**Fritz:** How would the decision be made?

**Novick:** I think it's up to us. We have a recommendation. But I think it's up to us.

**Fritz:** As was stated when we had the discussion in the spring. There was an expectation that community folks were going to be involved in that. Thank you.

**Hales:** Good afternoon.

**Peggy Moretti:** Good afternoon. I'm Peggy Moretti. Executive director of restore Oregon. Non-profit who works statewide to pass forward the historic places that make our communities livable and sustainable. I'm here today to endorse the proposed amendments to lower the height limits. This is highly important if we want to fulfill the comp plan policy objective of preserving historic buildings and the character of our historic districts. In that need is the assurance of compatibility of the new construction. I would further point out this adjustment does not conflict with the city's other worthy goals of density and affordability. To say that preservations in conflict is a false dichotomy. The alphabet district is already the densest district. With proposed transfer bonuses that the far for new development could still reach 5-1. We're not limiting new buildings to two stories. They have that transferable far is still going increase their height to be in line with what already exists in that district. And if we leave in place current zoning that is going to generate proposals that are going to be rejected by landmarks commission, we are setting up a case after case coming before city council for resolution. I don't think that sets the landmark's condition up. Taken all together, all of Portland's historic districts represent less than 2% of our total land area. We are not talking about a huge part of this city. They contain the majority of our resources. So giving them protection is not going to stop our quest for affordable housing. It makes little sense to me that advocates pick some of the most expensive real estate to relocate. That goes against my logic. And I kind of have to throw out the question request is the central city bearing the bulk of the burden while outlying neighborhoods that are crying seem to be going wanting here? We should be focusing on making Portland's outer neighborhoods as lovely and livable as the inner city. Thank you.

**Hales:** Thank you very much.

**Richard Allan:** Richard Allan. I'm here for American waterways.

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My testimony concerns property at 110 southwest curuthers. From that location, American waterways has for 20 years. Specifically, with the mapping of the major public trail across the river front of the property. And how the city's desire which dates back to the 1987 Willamette greenway plan conflicts with American waterways obligation applicable to our operations under a post-9/11 federal law. Mtsa requires covered vessels to submit a facility security plan to the coast guard for approval. Under the mtsa, the passenger capacity of at least two of our vessels triggers the requirement for a facility security plan and we have to be able to operate in compliance with that coast guard approved plan in order to be able to operate our vessels. A few key points about the security plans. First, they have to fully describe security measures to comply with. Second, homeland security and the coast guard can add requirements as threats change. And third, this is really the kicker, is that American waterways is prohibited from disclosing provisions to the security plan except in limited circumstances. I've been doing work for them since 1997. I don't know what's in the plan. They've never discussed it with me and they can't. Unrestricted public access trail is going to make it very difficult to operate in compliance with the mtsa. We would either like the trail removed from our property or in the cc 2035 process to have provisions in 33272 which deals with trails to exempt mtsa subject properties or to allow mtsa subject properties who have a special type of easement where you can close it off.

**Hales:** I might ask you, maybe you've already had this discussion to follow up with the planning bureau staff. I've heard this concern. And I'll confess to not understanding the technicalities of it. I do spend a lot of time on the water. There are lots of places in the united states where it's possible to walk along a river bank and still get to a ship. So I must assume other carriers are somehow surmounting this security requirement. So, again, looking at the context you are talking about national regulations here. Again, spent a lot of time on a lot of water fronts. Boston comes to mind. Baltimore comes to mind, san Diego comes to mind and so on. Somehow the public is allowed relatively free and open access up and down those water fronts while still having ships subject to these regulations docking at proprietary docks that are perpendicular to this. The technical conversation on with our staff. We don't want to be contrary to federal law.

**Allan:** There may be a difference between what we see when we see the public seeming to have free and open access and having a recorded easement that says we have a legal obligation to give the public access. The rules are from 5 a.m. To 10 p.m. It may be a different situation. We'll work with staff on that.

**Hales:** It would help us to understand what our boundaries here are. Thank you, all.

**Tamara Deridder:** Good afternoon. My name is Tamara Deridder. I'm representing rose city park association as chairperson and also representing myself as the principal for tdr and associates planning. First off, I'll be representing the neighborhood association. And they have requested your support for the planning and sustainability commission decision in 2011 not to rezone the 60th street station area just yet. Right now the density that's being called for will change r5 to mixed use commercial 2 and r1 higher densities. And the 60th avenue between sandy boulevard -- between halsy and the station at i-84 has two-foot wide sidewalks. So to rezone it, then you'd have improvements with the development but nothing consistently all the way through. I've been working with pbot in looking at funding for that area. Once the improvements are in place, it won't be a safety hazard and we can rezone. It's one of the few areas in the comprehensive plan that has not rezoned over the last 20 years. And for good reason because working class housing and some other streets do not even have sidewalks. Second, the board has awarded revised requirement for off-street parking where you need to have three parking spaces for every four dwelling units for mixed use. And this is in support of your own study on how many dwelling units have housing, rental housing. Have dwelling units. 70% of all renters

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have one. And the requirements for 500 foot setbacks from sandy boulevard are minimum like right now 19 parking spaces for 89 and as tdr and associates. Excuse me for going over just a little bit I want to draw your attention to title 33 that does not include the policy number 9.58 requiring adequate parking for off street parking, it does not include that in any of the documentation and therefore does not comply with the comprehensive plan and I therefor request continuance of this public hearing until such language can be inserted and reviewed by the public.

**Hales:** Thank you.

**Fritz:** Can you give me that code number again?

**Deridder:** Yes the reference number is 9.58 off street parking of the comprehensive plan.

**Fritz:** What's the zoning code piece that you think doesn't comply with it?

**Deridder:** It's the elements of title 33.266.110b

**Fritz:** Thank you

**Hales:** Okay. Thank you very much.

**Hales:** Welcome.

**Donna Bestwick:** Hi. I'm donna Bestwick and I'm a 35-year resident of Multnomah village. We're all painfully aware that you are in the constant tug of war between citizenry, development and interest of Portland. And while I'm compassionate of that, I won't let you off the hook on your parking requirements. The lady next to me mentioned every neighborhood is distressed about the parking situation. And we don't wear the suits of lawyers, of developers, of people with a personal financial interest. What are people here in Portland? We've paid taxes that support all of us and take care of all of us. And we are a majority of Portland. A single-family dwellers that paid our taxes all these years. And it looks to us like we have the least voice in the system of a city that's supposed to work for us. The only thing standing between developers and I won't call them mercenary or anything like that.

This is America and they have the freedom to make as much money as they can. But once an area is over developed, it's not going to go back. And this business of not having enough parking for a one-to-one, you say it has to do with mass transit. And the mass transit is fabulous in Portland. I rode the bus down here and it's wonderful. I am not going to take a bus to visit my aunt. I'm not going to visit my cousin in Montana on a bus and not have a vehicle when I get there. We are all in that position. I'm going to ask again how many of you on the council have cars? You all do. We all do. And so what you are doing is you are putting incredible pressure on neighborhoods and street parking. People are going to be parking in front of our homes. With reference to the parking policy, I'm going to use the quote again, please stop peeing on our shoes and telling us it's raining.

**Hales:** Thanks very much. I think it's important to note this is a difficult issue for the council on the parking issue. But most of the advocacy we're hearing on the other side is not from developers. It's from transportation advocates like parking reform who are disinterested in the question. But believe that we should be working towards the future where we are walking more and using transit more and driving less. So it really isn't a tug of war in this case between neighborhoods and developers. It's tug of war between two different visions of how the transportation system should work that I've been hearing from. We've had a lot of testimony on the plan on the other side. But I think, actually, none of it from developers. So I don't want you to think of it -- I hope you don't think of it as that's the debate. It really isn't between neighborhoods and developers. It's between neighbors and neighbors. Did you want make it any easier for us. But that's a more accurate characterization of the debate.

**Bestwick:** I agree 100%. But what the lack of parking allows the developers to do is increase footprint. So if they were going to build a structure and had to have one-for-one



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parking, they couldn't go as big on the footprint. That's where they gain the advantage.

**Hales:** I understand that.

**Bestwick:** And mass transit and driving a car are two separate issues. Please don't tie them together. Because I walk everywhere. I still have a car. That's not going to go away.

**Hales:** Understood. Thank you.

**Hales:** Thank you.

**Martie Sucec:** There's so many people parking now, it's hard to walk in the neighborhood. But I will start my testimony now. Marty Sucec. I'm representing the Multnomah neighborhood association. And I find this disconcerting that all of these things are just one council agenda item. Each one of these we should be able to testify on. I know we can send it in. There's something different about actually being here. We have a big problem with the mixed use issue. We don't want to be a center. We said we want to be a corridor but we don't want to be that. We want to be a main street and we're sorry metro decided to let Portland do away with this quant concept that reflects our village. But I also want to comment on previous issues. I don't want to be the one to tell smile that a design overlay doesn't get them anything. They need a plan district. You and I were sitting in this very room. I think the commissioner Saltzman was there. And Vera Katz, James Francis, et cetera. When you said in 2001, you called the planner in and said is there a height limit on a design overlay? And he said he didn't have the code then. But yes, he thought it did. So you said let's have a design overlay. And then the mayor agreed. And it was therefore done. I was reviewing the testimony. Design overlay hasn't helped us preserve our own character. So I think what we really need is a plan district. And the mixed use process has taken this thing like a chainsaw clear across every neighborhood in the city. They came to Multnomah had two groups and walked around the city. Went down to southwest 40th and where the last surface is and said what about a Wal-Mart here? So what we believe is the planning commission and the principals in the planning bureau have a different idea what it should be. What we would like to see is a planned district. We get businesses together, people together, et cetera. And the other thing, I really compelled to say all the time is there's a false dichotomy set up. It's a logical fallacy between trees, for example, density. Single family housing. It's not one or the other. With intelligent creative planning, we've had great planning. The other thing I hate is this nimbyism. I'm really getting sick of that. There is some in the 20 odd years I've been busy in this activism, I've seen about 20 nimbies'. We want some of the things in our front yard. I think when you attack people for being nimbies, that's logical fallacy number 7 as I remember. It's saying you attack the man, you attack the messenger and do not engage the argument. I'd like to see all of this accusation blank. They seem to be smarter than we give them credit for. And even us, they were not that. We want creative planning that keeps our neighborhood a walkable place. And lets it develop in a smart way.

**Hales:** Thank you.

**Sucec:** It's nice to see you 20 something years later. Yes, and we should tell smile they should ask for a plan district. Maybe we can get one. Nice to see you.

**Fritz:** Thanks for continuing to be involved, I've always said that if you don't care about what goes on in your backyard, then who will? So you have to come and advocate for yourself. Thank you.

**Sucec:** Right. Thank you.

**Hales:** Thank you, all.

**Hales:** Welcome.

**Katherine Christensen:** Thank you. My name is Katherine christensen and I am from the Multnomah neighborhood. I appreciate you listening to my testimony today. Whey wanted to talk to you about was the cip should maintain a list of communities and I'm going to read



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you what I want to say about this. We're concerned the August 2016 recommended draft of the community involvement program allows the city to determine what is a community without public transparency. It is so broad that without further definition the public cannot understand which groups of people with shared identities and belonging have standing as communities. Basic questions about who is any given -- who any given group of people with a shared sense of identity. What is the name of the group? How is it determined that people in the group share the sense of identity or belonging? Who speaks for the group and how the group makes decisions or left unanswered. The cip needs to be more transparent. The neighborhood association is requesting that the cip at minimum maintain a list of communities that have standing in the cip as communities. Provide procedures to add and remove from the list and clarify how membership is determined so any individual may determine whether or not they belong to a given community and whether they belong to more than one community. And a report on the annual basis of the funding that communities on the list received from the city. Thank you.

**Hales:** Thank you very much.

**Fritz:** Ms, Christensen have you already sent that in?

**Christensen:** We will send it in.

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

**Hales:** Welcome.

**Sean Green:** Thanks. Sean Green. A longtime resident. I have several points that I'll include in my email testimony. I'll mention the most important one right now. There's a psc proposal that the city council accept northeast 7th avenue as quote, the preferred route for the greenway alignment that was northeast 9th avenue. And pbot language around this issue is quote, staff responses that we need to conduct a proper study of the effects of various diverter treatments in the area of question. And a detailed traffic analysis. Pbot would need to conduct a full public process and weigh the benefits and impacts to the public. During the major projects adoption process, city council amended the greenway project to identify both roads as potential alignments to subject study. The designation of 7th avenue is the preferred route and inappropriate given that study has never taken place. There's been no community involvement. I think that this should be deferred until that traffic analysis and study has taken place and opportunity for community input.

**Hales:** Thank you very much. Good afternoon.

**Debbie Geffrard:** Good afternoon. Debbie Thomas Geffrard. I'm here to folk outside the f-a-r modifications proposed. There are 9 c zones on this list and five of them are upgraded. One stays the same. Three are downgraded. The city is talking all about the density needs mainly in-housing but also in commercial and services. We talk about new codes and requirements for unreinforced buildings. We talk about bonus f-a-r to encourage certain kinds of development. The zoning changes proposed suggest changes that would lower density in many areas that we as taxpayers have spent many years improving and put many resources into infrastructure in those areas. My comments are not spot property accommodations as someone suggested. It's not just Irvington and Portland. Northwest, northeast, St. Johns where they desperately need density. You are suggesting devaluation of properties and lessening the use of our structure. In your proposed modification, they are the only ones the f-a-r is penalized. The others have been increased. I hope this is an oversight that will be recognized and changed and not adopted. Specifically regarding cf to cm 2. My first question is why? It penalizes owners that haven't done a recent development. I believe it will create less design diversity since everyone will create boxes that maximize what they can do. Going from cf to cm2 reduces f-a-r far more than it appears. 31 versus 2.5 to 1. You have limited the bonuses. So it could have a huge reduction for some properties or planned developments. I'm not sure a lot of people

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actually realize that part has been slipped in. And do you realize that in some cases if the property is deemed uneconomical to reinforce, with this change you might not even be able to recreate what is there now. Makes no sense to me. Goes against our coveted boundary and I'm in strong opposition to this and several other elements such as cn going to cm 1 and limited retail services and office.

**Hales:** This is very -- you understand real estate better than most people. Hope you can give us that statement in writing. I think we should --

**Geffrard:** I wrote it down.

**Hales:** Thank you. I'd like to take some time and look through it. Rather than you finish it now. If you can send it.

**Geffrard:** Okay. I really was almost finished. My closing is with inclusionary zoning requirements, gross sales taxes that we need to create jobs in our market along with this suggestion, Portland is going backwards. We need our officials to focus on legislation that will encourage methodical growth. Thank you.

**Hales:** Please send that us. Particularly, your analysis of the transitions from cs to cm 2 and from cn to cm 1. I need to understand that better. Thank you.

**Geffrard:** Thank you.

**Hales:** Thank you very much the.

**Hales:** Good afternoon.

**Hales:** Welcome. Go ahead.

**Eliza Greenstadt:** Hi. Eliza Greenstadt. Another person to talk about the green way proposal on 7th avenue. I live on 8th avenue. I don't have anything written. I just want to kind of explain that we're concerned about this because we don't feel like we have -- we feel like this has been framed as if it's about which is a better avenue for the green way and who is on what side or something. And it's been strangely acrimonious you recollect. We really haven't. We haven't received any reply. We haven't actually seen the plan, a physical plan for this. And our concern is just that -- I should also say I'm a bike commuter. I bike to work every day. Our concern is that when mlk is blocked with traffic, 7th avenue is right there. It's a two-lane street. It's one of the few active two lane streets in our neighborhood. And I've seen it just recently that cars will just go right on there and it is terrible. They'll zoom along the street when mlk is blocked. And I understand that the residents on that street are alarmed by the increase in traffic that's happened there. But then if there's a proposal to turn that into a green way or a bike commuter and there's also some confusion about which it's going to be, because those are very different kinds of streets, then what's going to happen to the traffic that's going along there now? That's what we're concerned about. And I'm all for -- and we as a community that's been thinking about this, we are all for having more different kinds of transportation, better bike routes, better pedestrian routes. We're just trying to have more input and more say to have that be done safely in a way that's not going to cause more problems for our whole neighborhood.

**Hales:** Thank you.

**Novick:** I'm disturbed to hear you haven't received response for request for information. Would you mind dropping by my office and leaving your contact information? And we'll get back to you and make sure you get answers.

**Greenstadt:** Yes.

**Hales:** Thank you. Thanks a lot. Good afternoon.

**Mark O'Donnoh:** Good afternoon. Mark o'donnoh. I own property at 1727 northwest point. And we're here today in opposition to the reduction in far from 4 to 1. I dread coming here to see you today. I really do. I grew up in northwest Portland. And I was the last graduating class of saint Patrick's school in 1957. And at that time, I was on the wrong side of the poverty issue. My single parent mother raised the four of us and got to go without paying

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tuition. And we all got to be something in life today because somewhat of the neighborhood we lived in. I'm not going to get into it today about this idea of we see in our presidential campaign of fear. Like if you don't reduce the far northwest Portland is going to lose all of its historical designations. I've been here before and I'm sure you remember us. We went out and got one of the most competent impeccable persons to come in here and said the building didn't work, et cetera, et cetera. And also offered to take care of 100 seniors a year. And we didn't meet the criteria. You have well in place ordinances and criteria that protect buildings. Now, what I would like to talk to you about is the 160 people that would live in this project. And we have a tendency in this world today to talk around circles. And I realize you can have a clash of values. I'm perfectly understandable of that. We have a housing crisis as you well know. The number is 23,295 units that we need in this city.

We need this for people of extremely low income which means you make less than 15 or \$13,000 a year. Our project would be primarily occupied by people in that income category. On the larger scale, I tried to think of why someone who makes less money is economically excluded from living in northwest Portland when people come along and have alternatives for them to live there. If you are an elderly citizen, medical concerns are quite a bit. If you are four blocks from the hospital, that gives you a piece of mind. That's atop of the fear of having one foot out the door for no housing. Also, you can walk two blocks to trader joes. You can walk five blocks to freed Meyers. Walk two blocks to the William temple house. And all kinds of churches and facilities there for people. If you don't make the economic criteria of affording a \$1600 a month rent, we're going to shift you to the west side, east side. We're going to shift you to east county. You can slice the bread anyway you want to slice it. And since we're limited on time, I can't develop this in depth for you. So I'll give you the conclusion. The conclusion is this reduction in four-to-one is economic segregation. When you close safeways, that has nowhere near the impact when you close safeways, target, Albertsons in the east county. If you have to take a bus for 20 blocks, that's a lot different than hopping in your car and going down there. So, look, there's plenty of control. I'd ask you to remain the flexibility that you have now. The oversight that you have. And that you do not do this. And I will send you a letter on this process. We had no notice that your planning and sustainability committee entertained such a drastic measure. Under the measure 49, we got notice. Thank you. Any questions?

**Hales:** That's good. Appreciate it. Thank you, mark.

**Hales:** Thank you very much.

**Hales:** We might get everybody in.

**Karen Karlsson:** Hi, again. As you know, nwda provided a lot of testimony.

**Hales:** Name on the record.

**Karlsson:** Karen karlsson. President nwda. We provided a lot of testimony. I don't even know how many times. We've requested work with staff for changes in northwest. We've received many of them. We're very thankful. And there's a few we haven't. I've handed in written testimony to ask for your consideration on a couple other things. However, what I guess I would like to address is the f-a-r. Not the first time you've heard this. You know, I think right now we are so offended by all of the accusations. And I know there's been article upon article in the newspaper. You know, we're experiencing great growth in our neighborhood. And for the last couple of years, we've added 1200 units. Our biggest dislike is none of it is affordable. Right now we have over 800 regulated affordable housing units. We've been asking them even when other neighborhoods were saying no. In the medium income is just under \$35,000 and we have a lot of market affordable housing we were going to lose in that core. The northwest district plan is the only plan outside the central city that has an affordable housing bonus. We have an affordable housing bonus in

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our planned district. A few blocks north, you could build up to 7 to 1 f-a-r if you do affordable housing. We've been promoting for a long time. You know, we were as surprised as they were that there was a project going on. We didn't know anything about this project that's been happening since the spring. And actually, I do think that we may be able to find a solution. So I am leaving it as the reason we're trying to do this. We want to provide certainty to developers and property owners.

**Hales:** Thank you. And I guess I just want to urge you and the others in this debate, doesn't mean we can't settle it. But if there's further conversations that could be had among people that might be able to get -- that would be most appreciated.

**Karlsson:** That is our plan.

**Hales:** I hope so. Thank you.

**Hales:** Who would like to be next? Go ahead.

**Greg Theisen:** I'm Greg Theisen. I'm here on behalf of the northwest district association and planning committee today. Thank you for the opportunity to testify. This is not about the f-a-r. We have been working also on the zoning project. And hard copy testimony for me and in the email testimony. And our work has led us to conclude the best response to the challenge of planning for service growth. It is not to include it in the cizp. As currently drafted, does not reflect the unique nature of the campus as it functions in the neighborhood. As drafted, it has this integration into the neighborhood. Even psu with its integration to other parts of the city with the block structure has blocks in it and streets that are blocked off. And only has one that's like that. So it's unique grid development pattern provides for multiple access and building sizes and locations. And the surrounding built environment. By not acknowledging the characteristics, the cizp will fail to serve the northwest community. And continue to grow and evolve together. What we like to see is opportunity to amend the northwest district plan and by doing so addressing the issues with the legacy good Samaritan campus, if you'll call it that. And better serve all interests involved. So thank you for your consideration.

**Hales:** Thank you very much. Thank you. Welcome.

**Rachel Gihocchio:** Hi. My name is Rachel Gihocchio. You have to own that with that kind of last name. I'm the community liaison for the business association. And earlier, you heard from David and Ellen from smile. It's a pleasure to sit here today to present an unidentified neighborhood testimony. We urge the psc to recognize two vital aspects of our community when finalizing the zoning codes. The first is at the commercial corridors run right through the residential streets in our neighborhood. That's what makes it so lovely and charming. You can walk to everything and anything you need. But what this means is residential and commercial properties often abut one another. So height becomes the overriding issue that comes up. Oppose the additional 2 feet of tall first floors and oppose the bonus height to the step down height when commercial properties abut residential properties. If additional height is acceptable if it's a commercial property abutting another commercial property. This gets me to the second vital aspect of our neighborhood. Our business corridors also intersect one another. So commercial properties also abut one another. This means one commercial property can have an overlay and shares a wall. That commercial property might not have an overlay. Having a design overlay or main street overlay on some properties but not all commercial properties creates the situation of have and have nots and can impact the property values of the building that are right next to each other. And so we recommend an D overlay and we recommend applying it uniformly to the neighborhood. And I know the person that just spoke talked about a plan district. I'll have to connect with her and find out what that is about. Thank you for this and other opportunities to provide neighborhood input into the zoning process.

**Hales:** thank you. It will be interesting to look at the numbers. I suspect almost all the



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commercial properties about residential properties.

**Gihocchio:** They do.

**Hales:** I can't think of very many that would.

**Gihocchio:** Nope. And there are some commercial properties that about other commercial properties and we're saying great, that's a great place to add density and height. But adding height to commercial properties that is blocking the light and invading the privacy of residential. That's where the conflict comes. We finally have worked together. And we realized that's what the issue was. It was the height of new buildings. Our neighborhood is a little peninsula. And from park to park, it's all right in there. Which makes it wonderful to live. It's been great working together to get to this place.

**Hales:** Well done. Thank you. Thank you very much. Good work.

**Rich Michaelson:** Welcome. I'm here to talk about the alphabet district. I want to start more generally. I believe providing affordable housing is one of the most important things we can do. I made a donation to support the campaign. However, I'm really concerned at this time of crisis, affordable housing has trumped every other goal. I want to remind us we're planning for the next 100 years. While we have a crisis today, we should not allow one goal to trump everything else. To abandon our system of corridors and centers and do other things that are not consist apt because we need to all work together. This proposal is about one historic district in a city where only 3% of the land is historic district. 27% of Manhattan island is historic district. Doesn't make very much difference. The proposal is about truth in development. Too many times they have calls saying they have this great property. And I can build f-a-r four-to-one. I know better. I know the conditions come down and reduce that. But others don't. And they get into the process, they don't know there's demolition denial potential. Don't know anything about this. They look at the map and says f-a-r affordable. One thing I've got is change the map to say f-a-r two-to-one. One way of doing it. In terms of this particular project, I think I can find enough additional density to transfer on to that site to make the project work. Other options would be to extend the city's inclusionary zone to that site so they can get the density. Finally, we can include the nwda affordable housing. But the most important thing is that the zoning reflects the closest reality to what's desired and what's there today and does not mislead people. I urge you to do the two-to-one.

**Fritz:** That's helpful.

**Hales:** Thank you very much. Appreciate your offer to try to figure out a solution. Thank you. Welcome.

**Jim Tsoumas:** Hi. First time in front of the city council. I want to talk about properties in northwest Portland. 2123 northwest nicoli. 3004 northwest Roosevelt and 3032 northwest Roosevelt.

**Hales:** Give us your name.

**Tsoumas:** Jim tsoumas. One of our city council members explained to me how he's going to change my zoning. And made me really anxious. So I engaged him slightly more and was not interested to find out but found out he was seriously going at me tooth and nail. There's a development coming next me. And then my other neighbor has. And what you do on the other side of the street, I can give a damn. That's not my problem. But changing the zoning from what is there now to what's proposed is going to negatively affect the whole damn industrial part. If it negatively affects them, it will negatively affect me. I'm really disgusted with the way I was going at this. I was not given any opportunity to make a comment on it. Was not notified by anybody. Was not notified by council. And recently, none of my neighbors in the industrial park do anything about this. There is a lot opposing. I mean a real lot. I was at the last meeting and nobody saw this as anything good. We all know once you erode the industrial park, it's a boundary shorter and shorter. Pretty soon



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we have something called the moss in the trees that made that lady cry on television. Nobody offered her any solution to the problem. Kate brown didn't say well, you need scrubbers. Here's \$8 million. Fix it. Keep your employees. I didn't hear that from anybody. I'm more than disgusted with this. It seems you go nowhere quick.

**Hales:** It's not done yet.

**Tsoumas:** I'm really hoping that this will go.

**Hales:** If you can follow up with just an email to us with those addresses. What's the zoning that's proposed?

**Tsoumas:** He knows.

**Hales:** So just send us the addresses.

**Tsoumas:** He damn well knows.

**Hales:** send us the addresses.

**Tsoumas:** I will. Thank you. Thank you for your time.

**Hales:** We've made a decision and we may not have gotten it right. That's why it's good to hear.

**Michaelson:** If I can have one more comment. Martha was concerned about vesting rights. The project vest not when they provide for the building permit.

**Fritz:** So that's what I thought, but what about her point that it would be a nonconforming use after we changed it.

**Michaelson:** I think that's more of an issue. The projects that are nonconforming that i've financed. If there's a way to get that out of the way, they'd be better off making it conforming.

**Tsoumas:** So I do have a question. Since you did discuss this, what was the decision?

**Hales:** Well, I think the property was changed to r1 on one portion of it and cm2 on the other. Don't trust my memory. That woman right there, get her card and send her we'll follow up.

**Hales:** Thank you very much.

**Hales:** Come on up. Thank you for waiting.

**Brainard Brauer:** My name is brainard Brauer. I own property on southeast 13<sup>th</sup> and Powell. And this is a commercial property. Just want to make the observation this is the first notice that I think I've received. Any specific changes. So just chiming in that was someone else's comment. Also someone else's comment we want to the point that preserving an owner's rights even if the zoning has changed. It seems like an idea worth thinking about. I had been in the property owner since 1995 and worked hard to my properties in the neighborhood and to continue to improve it year to year.

**Fritz:** Just give the address again, please.

**Brauer:** 3205 southeast 13th avenue.

**Fritz:** Thank you.

**Brauer:** there's a couple surrounding it as well.

**Fritz:** Thank you.

**Brauer:** And proud to have been an active participant. Crime has been reduced significantly and with the help and cooperation of many Portland police officers. My current zoning is cg and it proposed to go to ce. The change adds many more restrictions including but not limited to set backs to residential property. So 3205 southeast 13th abuts residential. The new ce zoning may have its place. In this situation, it reduces the incentives for revitalization at least I can see them at this time. I request my zoning to be left at cg. Or if not, provide real incentives. I don't know. This is a critical time to get it right. As a point of perspective the properties directly to the north of me and north of powell and east of southeast 11th avenue. Those properties are owned by the fire department. Which are being moved. Partly pdc interest. And in private development. That's being proposed

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to go to ex zoning. And that's a landlocked property from the north by the train. And to the south by Powell. And those properties are probably not the best use for that kind of zoning. But at least that concern should be taken into account. And to push ahead, there was an idea passed on by a friend of mine that made a suggestion. And those properties, perhaps they would turn into a park area. One thing that whole region doesn't have is a park. That park could be a park zone that was a hub for pedestrian traffic possibly even out of the norm with a park and ride. Central spot for pedestrian access and relieve tension. Thank you.

**Hales:** Thanks very much.

**Allen Brown:** Thank you. Good afternoon, mayor, and commissioners. My name is Allen brown and I live with my wife at 1115 northeast 60th avenue in the southeast part of rose city park neighborhood. We are east of normandale park. We are currently zoned r5 and the proposal is r1. East normandale is 126th year old neighborhood making it the oldest section of the rose city park neighborhood. We might even have the oldest house in Portland. In the area, residents oppose rezoning as does the rose city park neighborhood. And you heard from our chairwoman earlier. East normandale cannot handle increased density without degrading the neighborhood's quality of life. A 2011 study by the poured land bureau of transportation of another proposal to increase density concluded that increased density would cause traffic to fail in our area. Instead of rezoning our area, I would like you to focus on working with the residential infill proposal. Like others, I was not in favor of this. But as I looked at how development happened over the last century, I have to admit it worked out well for east normandale. So-called middle housing is located in places that make sense and had a scale that works for the neighborhood. In contrast, some recent east normandale projects developed on a current zoning regulations are out of scale, poorly sighted and poorly located. I ask you not to rezone and instead to join with neighborhoods to develop, refine and implement residential infill so it works as well throughout Portland as it has worked in east normandale.

**Hales:** Thank you very much. What was your address?

**Brown:** 1115.

**Hales:** Thank you very much.

**Scott Eaton:** Mayor, commissioners. Thank you. I'm Scott Eaton. I'm with the development group that is also involved with the naito piece that was referred to. I'd like to clarify those properties are not in the giles lake industrial sanctuary. They never were. You did make a decision on these properties during our process with the comprehensive plan where we worked with the northwest neighborhood association and you have received letters of support from the northwest neighborhood association for the rezone that has taken place there in the comp plan. We worked together to come up with an r1 zone where we did middle housing. And then kept the ability to do virtually the same uses that are there now but also do potentially more residential there as well with the properties to the north. So I just want to clarify and speak on behalf of the neighborhood and the work we are trying to do there because this area was identified as an area that for the past four decades has been underutilized. It is a place where improvement needs to be made.

**Hales:** Thank you. Thanks very much. Any others? Is that the whole list?

**Moore-Love:** that's everyone who signed up on the list.

**Hales:** Thank you, all. All right. Amazingly, it is 5 p.m. On the dot. So we'll close the hearing.

**Eric Engstrom, Bureau of Planning and Sustainability:** Hi. Eric Engstrom Bureau of planning and sustainability. The decision you have to make now is if you are ready to close the oral hearing. And staff has recommended that you hold it open until midnight Friday essentially since there's little bit of time.

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**Hales:** At least that long. We have been inviting people to send in testimony that they provided today.

**Fritz:** Assuming you are not going to work on it over the weekend. How about 8:00 on Monday?

**Engstrom:** 8 a.m. Monday is fine as well.

**Hales:** Let's do that. Let's leave the record open and that way if people over the weekend want to send in email or other correspondents that they won't be forced to get that done.

**Fritz:** We'll let you take the weekend off Eric.

**Engstrom:** And we will, of course of course put all that into the record in one of those boxes. And then another next step was we will be coming back to you on October 25th. I believe we have a work session scheduled. And so as you are reading through the testimony, we would like you to be preparing your amendment list and be prepared to talk about that on the 25th.

**Hales:** That gives us a week. So keep the record open for written testimony until 8 a.m. On Monday the 17th. And then we'll stick with our schedule as planned for work sessions and subsequent hearings.

**Engstrom:** Right. And we would also note that the in the present time was you then would reopen the record for testimony on your amendments for the November 17th hearing.

**Hales:** Right.

\*\*\*\*\*: Also note that the testimony that's been added to the box.

**Engstrom:** We did also add testimony that we collected since last week to the box. That was put in there earlier.

**Hales:** Okay. We all have a lot of reading to do. Excellent testimony today. And hopefully hear more from people by electronic or other correspondents. Thanks very much. We're adjourned for the week.

**At 5:03 p.m. council adjourned.**